

Public Document Pack



Minutes of the meeting of the **Planning Committee** held in The Assembly Room - The Council House (Chichester City Council), North Street, Chichester on Wednesday 13 September 2017 at 9.30 am

Members Present: Mr R Hayes (Chairman), Mrs C Purnell (Vice-Chairman), Mr G Barrett, Mr M Dunn, Mr J F Elliott, Mr M Hall, Mr L Hixson, Mrs J Kilby, Mr G McAra, Mr S Oakley and Mrs J Tassell

Members not present: Mrs J Duncton, Mr R Plowman, Mrs P Tull and Mr D Wakeham

In attendance by invitation:

Officers present: Mrs S Archer (Enforcement Manager), Miss J Bell (Development Manager (Majors and Business)), Ms C Coles (Planning Officer), Miss N Golding (Principal Solicitor), Miss L Higenbottam (Democratic Services), Mr D Price (Principal Planning Officer) and Mr T Whitty (Development Management Service Manager)

52 **Chairman's Announcements**

The Chairman welcomed everyone to the meeting and drew attention to the emergency evacuation procedure.

Apologies were received from Mrs Duncton, Mr Plowman, Mrs Tull and Mr Wakeham.

53 **Approval of Minutes**

Mrs Purnell requested an amendment to minute 43 to add '*Mrs Purnell declared a personal interest in respect of application SY/17/00951/FUL as a member of Selsey Town Council*'.

RESOLVED

That subject to the amendment above the minutes of the meeting held on 16 August 2017 be approved and signed by the Chairman as a correct record.

54 **Urgent Items**

There were no urgent items.

55 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of application CH/16/04132/OUT as a Chichester District Council appointed member of the Chichester Harbour Conservancy.

Mr Dunn declared personal interests in respect of applications SDNP/17/01872/FUL, SDNP/17/01873/LIS and SDNP/17/03308/CND as a Chichester District Council appointed member of the South Downs National Park Authority.

Mr Oakley declared personal interests in respect of applications CH/16/04132/OUT, WE/17/00670/FUL and SDNP/17/03308/CND as a member of West Sussex County Council.

Mrs Purnell declared personal interests in respect of applications CH/16/04132/OUT, WE/17/00670/OUT and SDNP/17/03308/CND as a member of West Sussex County Council.

Mr Collins who was speaking on behalf of Chidham and Hambrook Parish Council declared a personal interest in respect of application CH/16/04132/OUT as a member of Chichester District Council.

Mrs Plant, a Chichester District Council ward member for Bosham declared a personal interest in respect of application CH/16/04132/OUT as a Chichester District Council appointed member of the Chichester Harbour Conservancy (CHC).

Planning Applications

(To listen to the speakers and the full debate of the planning applications follow the [link](#) to the online recording)

The Committee considered the planning applications together with an agenda update sheet at the meeting detailing observations and amendments that had arisen subsequent to the dispatch of the agenda. During the presentations by officers of the applications, members viewed photographs, plans, drawings, computerised images and artist impressions that were displayed on the screen.

RESOLVED

That the following decisions be made subject to the observations and amendments as set out below:-

56 **CH/16/04132/OUT - Greenacre Nursery, Main Road, Chidham, PO18 8TP**

Mr Whitty explained that the officer recommendation to approve followed legal advice relating to the Chidham and Hambrook Neighbourhood Plan (NP) and the Chichester Local Plan (LP) which both form part of the development plan. As the newer of the two plans the NP should generally take precedence where there is any tension between policies. The application is therefore acceptable to officers as the

NP supports development of 10 or fewer properties on a Brownfield site, subject to consideration against other policies in the Development Plan.

Miss Bell explained that previous concerns relating to scale, style and screening of the development within the area of outstanding natural beauty (AONB) would be mitigated by conditions.

The following members of the public addressed the Committee:

- Mr A Collins – Chidham and Hambrook Parish Council
- Mr S Johnson – Objector
- Mr K Thomas – Supporter
- Ms K Simmons – Agent
- Mrs P Plant – Chichester District Council member for Bosham Ward

With regard to members concerns relating to visibility Miss Bell confirmed that the requirements of the visibility splays would form part of the section 278 agreement with West Sussex County Council Highways (WSSCC) rather than the section 106 agreement. Condition 15 also specifies size and maintenance of the visibility splays which officers are confident could be achieved.

Members requested amendment to condition eight to refer to *the site* rather than *the property* in the last sentence.

Defer for a Section 106 agreement then Permit.

57 **WE/17/00670/FUL - Meadow View Stables, Monks Hill, Westbourne, Emsworth, West Sussex**

Information was reported on the agenda update sheet relating to a further response from Westbourne Parish Council, additional information from the applicant and further officer comments. Additional information added to the July report (included in the agenda pack) indicated in bold.

The following member of the public addressed the Committee:

- Mr R Briscoe – Westbourne Parish Council
- Mrs T Wickens – On behalf of the applicant

With reference to the earlier appeal and members concerns regarding commercial development on the site Mr Whitty maintained the officers view that the inspector's decision letter which prevented by condition any commercial activity on the site should not be interpreted as a conclusion by the Inspector that there should never be any commercial activity on the site, but as a necessary limitation that particular permission in the absence of any qualified proposals or commercial use at that time. Future planning applications needed to be decided by the local planning authority on their own merits.

With regard to members concerns relating to visibility at the site entrance WSSCC had responded and were content that requirements had been met for the level of

activity that would be taking place. Some members maintained their concerns notably that the level of activity on site remained uncertain and the level of the proposed visibility splays appeared low.

In relation to operational hours and the number of trees sold from the site Mr Whitty confirmed that it would be possible to condition both.

Some members were concerned that there could be harm to the rural character and appearance of the area and considered granting a temporary permission to monitor the impact however no proposal was put forward.

In a vote the officer recommendation to permit was not carried. Mr Dunn proposed the application be refused due to the introduction of commercial activity into a rural setting which would be harmful to the character and appearance of the rural location. In addition it had not been demonstrated that adequate visibility could be provided to service the proposed use, having regard to the resultant intensification in vehicular use of the access. Mr Oakley seconded the proposal which was carried.

Refused (contrary to officer recommendation).

58 **SDNP/17/01872/FUL and SDNP/17/01873/LIS - Flat 1, Snowhill House, Easebourne Lane, Easebourne, GU29 0AE**

Information was reported on the agenda update sheet relating to confirmation that the application is not CIL liable and an amendment to appendix two.

SDNP/17/01878/FUL

Recommendation to Permit agreed.

SDNP/17/01873/LIS

Recommendation to Permit agreed.

59 **SDNP/17/03308/CND - Orchard Barn, Common Road, Funtington, PO18 9LG**

Information was reported on the agenda update sheet relating to clarification of the description. Mr Price explained that the application had been permitted in April 2017 and subsequent modifications are to be made to the access arrangements only.

The following member of the public addressed the Committee:

- Mr D Roycroft – Applicant

Recommendation to Permit agreed.

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

BI/15/00139/CONSH – Land North West of Premier Business Park, Birdham Road, Birdham, West Sussex

Mrs Archer explained that the appeal had focussed on the human rights of the 11 occupiers, their personal circumstances and the need for gypsy and traveller pitches. The Inspector had agreed that the impact on the Chichester Harbour AONB was greater than the need of the individuals and as such the occupiers would be required to vacate the site within 12 months and remove the track and the entrance gate within 15 months. Mrs Archer hoped officers would be able to continue to work with residents to ensure compliance but clarified that failure to comply after 12 months would result in prosecution. With regard to the three plots adjacent to the site (not in ownership) a notice would be required to ensure removal from the land. Following the appeal the council had been invited to submit an application for costs.

Mrs Archer responded to member's questions and comments. With regard to claiming costs the CHC would be required to submit a separate application. In relation to access following clearance of the site at present there is no visible occupation of the land. With regard to relocation of the occupants further debate may be required regarding the supply of gypsy and traveller pitches.

The Committee wished to note their thanks to Mrs Archer and her team for their hard work.

16/02254/OUT – Land at the corner of Oving Road and A27, Chichester, PO20 2AG

Miss Bell explained that the appeal had been allowed as the Inspector had found the decision to be in conflict with Countryside Policy 45 and Policy Two (Settlement Hierarchy) of the Chichester Local Plan. With regard to concerns that 100 houses would harm the rural character and appearance of the area the Inspector felt this would be confined to the immediate vicinity. In relation to the five year housing land supply both parties had provided extensive evidence regarding delivery rates and build times. The Inspector had found the council's delivery rate of 65 - 70 houses per year to be over optimistic and had agreed a more realistic 40 houses per year from a single house builder. This resulted in the six year supply falling just below five years (a shortfall of 45 houses), however as the Inspector had allowed the development of the 100 houses this increased the supply to an acceptable level (without the previous surplus).

The Committee noted the schedule of planning appeals, court and policy matters.

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

There were no late items.

The meeting ended at 11.30 am

CHAIRMAN

Date: