

Chichester District Council

Planning Committee

Wednesday 08 January 2020

Report of the Director Of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters

Between 20-Nov-2019 and 10-Dec-2019

This report updates Planning Committee members on current appeals and other matters. It would be of assistance if specific questions on individual cases could be directed to officers in advance of the meeting.

Note for public viewing via Chichester District Council web site To read each file in detail, including the full appeal decision when it is issued, click on the reference number (NB certain enforcement cases are not open for public inspection, but you will be able to see the key papers via the automatic link to the Planning Inspectorate).

* - Committee level decision.

1. NEW APPEALS (Lodged)

Reference/Procedure	Proposal
19/00740/DOM Appledram Parish Case Officer: William Price Householder Appeal	Ferndale 133 Birdham Road Appledram PO20 7DY - Retrospective erection of 6ft featherboard fence and gates. Additional trees to be planted.
19/02407/PA3Q Earnley Parish Case Officer: Maria Tomlinson Written Representation	Land South Of 102A First Avenue Almodington Batchmere Chichester West Sussex PO20 7LQ - Notification for Prior Approval for a proposed change of use of agricultural buildings to 4no. dwellinghouses (Class C3).

2. DECISIONS MADE

Reference/Procedure	Proposal
<p>19/00196/FUL Bosham Parish</p> <p>Case Officer: Fjola Stevens</p> <p>Written Representation</p>	<p>By-The-Brook Bosham Lane Bosham PO18 8HG - Demolish 1 no. existing dwelling and erect 2 no. 2 bed dwellings and 1 no. 3 bed dwelling.</p>
<p>Appeal Decision: APPEAL DISMISSED</p>	
<p>“The main issue is character and appearance, with particular regard to the Chichester Harbour Area of Outstanding Natural Beauty (AONB), the streetscene and the nearby Bosham Conservation Area (BCA). ... The proposed development seeks to demolish the existing chalet bungalow and construct 3 numbered 2-storey detached dwellings. Bearing in mind the character of the surrounding area and the fact that the surrounding dwellings are predominantly set in modest sized plots, the proposed development would appear as a cramped overdevelopment of the site that would be out of context with its surroundings. ... The visual harm resulting from this cramped over development of the plot is accentuated by the depth, height and overall design of the dwellings proposed, which significantly increases their mass and bulk. As a result, the development would be at odds with the prevailing spacious, low level, character of the northern part of the road it fronts onto. It would also fail to take into account the distinctiveness of its setting and the character of the surrounding area. As such the proposal would not conserve and / or enhance the natural beauty and locally distinctive features of the AONB it is located within, but rather detract from them. ... when considered in the context of the nearby heritage assets, this harm would be less than substantial harm to the significance of the designated heritage assets. ... I find that the harm I have identified above would not be outweighed by the public benefits of the proposed development. ... “□</p>	
<p>18/03255/FUL Selsey Parish</p> <p>Case Officer: James Gellini</p> <p>Written Representation</p>	<p>Land Adjacent To 71 West Street Selsey Chichester West Sussex PO20 9AG - Erection of 1 no. 2 bed bungalow - resubmission of SY/18/02197/FUL.</p>
<p>Appeal Decision: APPEAL DISMISSED</p>	
<p>“... The proposal would introduce a single storey building positioned at right angles to the road in a subdivided plot, which would be a much smaller plot than the established character of this part of West Street. This would result in a building of substantially smaller scale within a limited plot. It would appear cramped and harmfully out of context with the spacious and open character in which it sits ... harm would be exacerbated by the proposed positioning forward of the linear building line ... given that it is seen in a different context to the cul-de-sac I do not concur with the appellant that this would represent an appropriate transition between the strong character to the east and the cluster of separate properties to the west. The proposal would therefore harm the character and appearance of the area. ... this shape, limited width and division by the central access path would limit its usable space and would fail to be suitable amenity space, despite the appellant’s contention that the property is aimed at the elderly or that other modern would be elevated and in close proximity to the</p>	

Appeal Decision: APPEAL DISMISSED - continued

southern area of proposed garden would be directly overlooked by the first floor window of No 71. This properties may have smaller total area. In addition, the rear element of the garden would be directly overlooked by the first floor window of No 71. This would be elevated and in close proximity to the southern area of proposed garden. It would therefore give rise to significant overlooking in this area. ... I have not considered this matter in detail ...”

[18/02003/FUL](#)

Westhampnett Parish

Case Officer: Robert Sims

Written Representation

Greytiles Claypit Lane Westhampnett PO18 0NU -
Demolition of existing garage, construction of additional dwelling and associated works, subdividing plot.

Appeal Decision: APPEAL DISMISSED

“...Whilst the existing plot at Greytiles is irregular with a ‘L’ shape projecting behind the neighbouring property, much of this garden is screened from the street behind the neighbouring property. The built form of the main house therefore continues the frontage relationship of the area. The introduction of a dwelling, albeit single storey, would introduce development at depth behind existing properties, reducing the gaps between properties and appear cramped and harmfully out of character with the prevailing spatial pattern of built form. Whilst providing a 2 bedroom unit may increase the mix of dwellings in the locality, this would not reflect the general size of the buildings within the vicinity. The resultant plot would be significantly smaller than those in the immediate area and not reflective of the established character. I recognise that the proposal would have built form over only a proportion of the site and would provide amenity space to the side and rear. However, this would be much reduced from the general spatial pattern of the area and appear tight and contrived. ... Whilst visibility from public vantage points may be limited with its low proposed ridge height, and the appellant identifies that the existing garage height could be increased¹, the proposal would harm the spatial character and appearance of the surrounding area. Consequently, it would be contrary to Policy 33 of the Chichester Local Plan: Key Policies 2014-2029 (2015) and Section 12 of the National Planning Policy Framework (2019). Cumulatively, and amongst other objectives, these require development to meet the highest standards of design, provide a high quality living environment in keeping with the character of the surrounding area, respect and where possible enhance the character of the surrounding area and the site, and should be sympathetic to local character and the surrounding built environment. ... “□

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p><u>17/00061/CONENG</u> Birdham Parish</p> <p>Case Officer: Emma Kierans</p> <p>Written Representation</p>	<p>Land North Of Cowdry Nursery Sidlesham Lane Birdham West Sussex - Appeal against BI/40</p>
<p><u>19/00046/CONCOU</u> Birdham Parish</p> <p>Case Officer: Steven Pattie</p> <p>Written Representation</p>	<p>Kellys Farm Bell Lane Birdham Chichester West Sussex PO20 7HY - Appeal against BI/46</p>
<p><u>19/00845/FUL</u> Birdham Parish</p> <p>Case Officer: Daniel Power</p> <p>Written Representation</p>	<p>Common Piece Main Road Birdham West Sussex - Use of land for the stationing of a static caravan.</p>
<p><u>19/00350/LBC</u> Donnington Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>Hardings Farm Selsey Road Donnington Chichester West Sussex PO20 7PU - Replacement of 8 no. windows to North, East and South Elevations (like for like).</p>
<p><u>18/00323/CONHI</u> Funtington Parish</p> <p>Case Officer: Sue Payne</p> <p>Written Representation</p>	<p>West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ - Appeal against HH/22</p>

Reference/Procedure	Proposal
<p data-bbox="197 230 531 300"><u>16/00325/CONCOM</u> North Mundham Parish</p> <p data-bbox="197 365 592 398">Case Officer: Shona Archer</p> <p data-bbox="197 461 552 495">Written Representation</p>	<p data-bbox="639 230 1414 300">6 Oakdene Gardens North Mundham Chichester West Sussex PO20 1AQ - Appeal against NM/28</p>
<p data-bbox="197 544 531 613"><u>18/00187/CONMHC</u> North Mundham Parish</p> <p data-bbox="197 678 544 712">Case Officer: Tara Lang</p> <p data-bbox="197 775 552 808">Written Representation</p>	<p data-bbox="639 544 1437 613">Fisher Granary Fisher Lane South Mundham Chichester West Sussex PO20 1ND - Appeal against NM/29</p>
<p data-bbox="197 857 531 927"><u>19/00405/FUL</u> North Mundham Parish</p> <p data-bbox="197 992 584 1025">Case Officer: Caitlin Boddy</p> <p data-bbox="197 1088 552 1122">Written Representation</p>	<p data-bbox="639 857 1461 969">Fisher Granary Fisher Lane South Mundham PO20 1ND - Use of land for the stationing of a caravan for use as a holiday let.</p> <p data-bbox="639 969 1190 1003">Linked with 18/00187/CONMHC above</p>
<p data-bbox="197 1171 403 1240"><u>19/00269/FUL</u> Oving Parish</p> <p data-bbox="197 1305 475 1375">Case Officer: Maria Tomlinson</p> <p data-bbox="197 1413 552 1447">Written Representation</p>	<p data-bbox="639 1171 1461 1328">Merston Drier Barn Marsh Lane Merston Oving West Sussex - Change of use from agriculture to a mixed use comprising of agricultural storage and the storage of up to 10 vintage cars.</p>
<p data-bbox="197 1485 555 1554"><u>18/00088/CONAGR</u> Plaistow And Ifold Parish</p> <p data-bbox="197 1619 592 1653">Case Officer: Shona Archer</p> <p data-bbox="197 1715 552 1749">Written Representation</p>	<p data-bbox="639 1485 1445 1554">Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE - Appeal against PS/67</p>
<p data-bbox="197 1798 555 1868"><u>18/00088/CONAGR</u> Plaistow And Ifold Parish</p> <p data-bbox="197 1933 592 1966">Case Officer: Shona Archer</p> <p data-bbox="197 2029 552 2063">Written Representation</p>	<p data-bbox="639 1798 1445 1868">Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE - Appeal against PS/66</p>

<p><u>18/00088/CONAGR</u> Plaistow And Ifold Parish</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>Crouchlands Farm Rickmans Lane Plaistow Billingshurst West Sussex RH14 0LE - Appeal against PS/65</p>
<p><u>18/00005/CONAGR</u> Sidlesham Parish</p> <p>Case Officer: Sue Payne</p> <p>Written Representation</p>	<p>Greenwood Group Highleigh Nurseries Highleigh Road Sidlesham Chichester West Sussex PO20 7NR - Appeal against SI/70</p>
<p><u>18/00389/CONCOU</u> Southbourne Parish</p> <p>Case Officer: Steven Pattie</p> <p>Written Representation</p>	<p>1 Green Acre Inlands Road Nutbourne Chichester West Sussex PO18 8RJ - Appeal against SB/117</p>
<p><u>18/03145/OUT</u> Southbourne Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Public Inquiry 21/01/2020 Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Land North Of Cooks Lane Southbourne Hampshire - Outline application with all matters reserved except Access for the erection of 199 dwellings and associated development.</p>
<p><u>18/03428/FUL</u> Southbourne Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Informal Hearing</p>	<p>Field South Of 230 Main Road Southbourne Hampshire - Material change of use of the land for stationing of caravans for residential occupation for single pitch Gypsy site with facilitating development (hard standing and utility building).</p>

Reference/Procedure	Proposal
<p><u>17/00333/CONMHC</u> Westbourne Parish</p> <p>Case Officer: Tara Lang</p> <p>Informal Hearing held awaiting decision</p>	<p>Home Paddock Stables Hambrook Hill North Hambrook West Sussex - Appeal against WE/44</p>

4. VARIATIONS TO SECTION 106 AGREEMENTS

None.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham, Land North West of Premier Park	Breach of Enforcement Notices	Injunction Application with all supporting documents lodged with the High Court. Awaiting a hearing date from the court. Court bundle to be served on 27 defendants.

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage

7. POLICY MATTERS

None