



Minutes of the meeting of the **Planning Committee** held in Committee Rooms - East Pallant House on Wednesday 8 January 2020 at 9.30 am

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

Members not present: Mr G Barrett

In attendance by invitation:

Officers present: Miss J Bell (Development Manager (Majors and Business)), Mr M Bleakley (Development Manager (Majors)), Mr O Broadway (Principal Conservation and Design Officer), Mr I Gledhill (Planner - County Highways West Sussex County Council), Miss N Golding (Principal Solicitor), Miss S Hurr (Democratic Services Officer), Mr D Power (Senior Planning Officer), Mr J Saunders (Development Manager (National Park)) 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 Councillor Mr Graeme Barrett.

2 **Approval of Minutes**

RESOLVED

That the minutes of the meeting held on 4 December 2019 be approved and signed by the Chairman.

3 **Urgent Items**

There were no urgent items.

4 **Declarations of Interests**

Rev. Bowden declared a personal interest in respect of planning applications CC/02337/FUL, CC19/02446/ADV, CC19/02447/LBC, CC19/02462/ADV CC/19/02609/LBC as a member of Chichester City Council.

Mr Oakley declared a personal interest in respect of planning applications FU/19/02514/FUL as a member of West Sussex County Council and for the Tangmere Masterplan as a member of West Sussex County Council and Tangmere Parish Council.

Mr Potter declared a personal interest in respect of planning application for the Tangmere Masterplan as a member of South Downs National Park Authority.

Mrs Purnel declared a personal interest in respect of planning applications FU/19/02514/FUL as a member of West Sussex County Council.

Mrs Sharp declared a personal interest in respect of planning applications CC/02337/FUL, CC19/02446/ADV, CC19/02447/LBC, CC19/02462/ADV CC/19/02609/LBC as a member of Chichester City Council.

5 **CC/19/02337/FUL - St Pancras Court, Flat 10 St Pancras, Chichester, PO19 7LU**

Miss Bell introduced the application.

Additional information was provided on the agenda update sheet relating to an amended description of the proposal.

The following members of the public addressed the Committee:

Mr Richard Plowman – Parish Council
Miss Tracy Skinner – Applicant

During the discussion Members sought clarification regarding whether a green-roof could be introduced, the colour of the corten steel proposed, if issues would be caused regarding accessing the garages once gates had been installed, concerns as to whether the building was acceptable within the conservation area and if lead drips would prevent staining. Mr Broadway confirmed that corten steel would darken over time. Miss Bell advised that the roof was unlikely to be capable of withstanding the weight of a green-roof, and also reassured members that the orange colour of the steel illustrated by computer representation was from printing the image, rather than an accurate representation. Miss Bell also confirmed that the garages were set-back and there was sufficient room within the court-yard area. The lead-drips were used to prevent staining of the timber cladding, but officers did not consider that they were necessary.

In response to a question regarding whether the gates were for security or aesthetic purposes, Mr Whitty confirmed they were for the provision of security, any inconvenience they caused maneuvering in to provided parking spaces was a matter for the applicant. Further explanation was given with regards to cladding, it was considered that where it might appear incongruous in the middle of a terrace or

more intimate street scene, in this case the building was sufficiently distanced and different in design that an alternative approach was appropriate. Miss Bell advised that within the conservation area there was a view that there was opportunity to improve some of the buildings and this design was considered to achieve that aim.

In response to a question regarding potential glare, Mr Broadway explained that the steel would be delivered having already received oxidization treatment and therefore would have low reflective qualities.

In response to a further question Mr Whitty confirmed that both the cladding and wood burner were a single application and therefore could not be treated separately. Mr Whitty added that there is currently no policy from central government that the use of a wood burning flue was unacceptable in principle, on environmental grounds.

Mr Wilding arrived just prior to the vote taking place and therefore abstained from voting.

Recommendation to **Permit** agreed with amended description of the proposal as set out on the update sheet.

6 **CC/19/02446/ADV & CC/19/02447/LBC - 65 East Street Chichester PO19 1HL**

Miss Bell introduced the application.

Additional information was provided on the agenda update sheet providing further comments from officers regarding the advert application and an additional condition to include the address number of the building within the signage had also been added.

The following member of the public addressed the Committee:

Mr Richard Plowman – Parish Council

In response to a request for clarification regarding the relevant guidance, Mr Whitty confirmed that the proposals were appropriate as painted signage was stated only as a 'preference' and the important element was for the letters not to protrude beyond a given depth. Mr Whitty further advised that it was necessary to consider what had existed previously, and that some variation in the nature of signage in the conservation area was not detrimental in itself.

Members further debated supporting the view of the Parish Council, the general appearance of the shop frontage, the importance of encouraging retail provision and appreciation of the need to limit future maintenance. Mr Whitty iterated that, historically, signage would have originally been painted, which was the reason for the preference, but the proposals were less prominent than what had previously existed and therefore an improvement.

Recommendation to **Permit** both applications agreed with additional condition on the update sheet.

7 CC/19/02462/ADV - 72-73 South Street Chichester PO19 1EE

Miss Bell introduced the application.

Additional information was provided on the agenda update sheet regarding the name of the application which should correctly read 'Charles Clinkard'.

The following member of the public addressed the Committee:

Mr Richard Plowman – Parish Council

Members debated the appearance of the new signage, but did not seek any further clarification from officers.

Recommendation to **Permit** agreed with additional condition on the update sheet.

The Committee took a five minute break.

8 CC/19/02609/LBC - South House, University of Chichester Bishop Otter Campus

Mr Saunders introduced the application.

The following members of the public addressed the Committee:

Mr Alan Green – Supporter (Chairman of Chichester Conservation Area Advisory Committee)

Mr John Kingdon - Applicant

Mr Richard Plowman – CDC Ward Member

During the discussion Members debated the impact of double-glazing for thermal efficiency, poor maintenance of original windows, taking advantage of modern technology, and supporting the university. Members further debated the layout of the site which was crowded with utilitarian buildings which limited views of South House, the importance of conserving the building and allowing continued use. Members sought clarification regarding the buildings listed status, the difference in appearance of single glazing compared to secondary glazing and double-glazing. Members made further comments regarding 'conservation' and 'preservation', that substantial harm would not be caused by the proposals, that the building was not in public view and that thermal efficiency could be gained by other methods. Mr Broadway explained that climate emergency and the conservation of buildings is often seen as a delicate situation with regards to finding an appropriate balance, but in many respects this is a false dilemma as there are a range of measures which could be employed which do not cause harm to a building and achieve thermal efficiency. Mr Whitty added that he appreciated the comments made by Members

during the debate, and that the windows were not publicly visible, but changing the windows would cause a loss of part of the original fabric of the building, which could alternatively be repaired. In relation to comments that supporting the application would not set a precedent, Mr Whitty advised that this may have an impact with regards to future applications and appeals concerning window replacement with double-glazing on other buildings which may be publicly more visible, iterating that thermal efficiency could be gained by other methods.

The Chairman requested that the application was deferred for a correct submission of the plan regarding the outline of the building. Mr Whitty responded that this may result in a further consultation period. Clear reasons would be required as to the reason for permitting, which on balance, was less harm.

Recommendation to **Permit** agreed contrary to office recommendation following deferral for submission of correct site plan and any necessary actions.

Conditions to include section information, to ensure adequate detailing would be achieved.

9 **FU/19/02514/FUL - Greenlands Farm Buildings on Land Adjacent to Greenlands**

Mr Power introduced the application.

Additional information was provided on the agenda update sheet regarding additional comments and a request for a further additional condition regarding the removal of the existing dwelling, from South Downs National Park Authority.

In response to a request for clarification regarding the fencing and whether it could be replaced with hedging, Mr Whitty confirmed that this was outside the control of the application, and that the site already benefited from an extant permission for a dwelling house and therefore hedging could not be a requirement.

During the discussion Members debated the internal and external lighting, and the requirements of SDNPA in relation to lighting and habitat controls, foul water treatment, the number of parking spaces, reserving onto the highway, the addition of bat and bird boxes, and requirement for planting two trees for each for one removed. Mr Whitty responded that the proposed building would not be overly fenestrated, that condition 11 refers to the external lighting and that no comments had been received from SDNPA in relation to light and habitat. With regards to the foul water, officers were content with the plans, and the requirement for separate consent to discharge into the ditch could be added as an informative. Mr Whitty added that there were two designated parking spaces and also sufficient room for further parking, but at this stage it was preferred to limit the hard-standing area. The requirement for bat and bird boxes could be added and also an informative to plant two trees for each one removed. Mr Power confirmed that the roof lights had been removed from the plans and that what was shown were solar panels.

Mr Whitty summarised that condition 12 referred to the demolition of the existing building, condition 8 to the planting requirements, there would be an addition of the

requirement for bat and bird boxes to condition 9, details of foul water treatment to were to be submitted, and an informative added regarding separate watercourse discharge into the ditch.

Recommendation to **Permit** agreed, with an additional condition as cited on the update sheet, and further/amended conditions and an informative to be included in relation to:

- Details of Foul Water Treatment Plant to be submitted and agreed (new condition)
- New informative advising separate watercourse consent is required for discharge into ditch
- Amendment to condition 8 to specify enhancements required by the condition to include any trees removed to be replaced with two further trees (1:2 ratio)
- Additional condition requiring details of the provision of bird and bat boxes

10 **WR/19/02700/DOM and WR/19/02700/DOM - Albion House, Petworth Road, Wisborough Green, RH14 0BH**

Mr Power introduced the application.

Additional information was provided on the agenda update sheet regarding a number of corrections to the report and omissions from the report relating to the conditions and informatives.

The following member of the public addressed the Committee:

Mr Jonathan Stern – applicant

During the discussion Members debated whether blinds should be a requirement, the contemporary design of the extension and if it was contrary to the guidance within the Neighbourhood Plan (NP), the weight apportioned to the NP, and the applicant's commitment to comply with officer advice. Mr Whitty confirmed that cognitive account is always taken of the NP, which provides a broad policy for interpretation citing Policy DS3 which refers to 'Housing Extensions Style and Vernacular'. Mr Boardway advised that at pre-application stage the inspector had provided a clear indication of what was acceptable, and contemporary architecture had the advantage of being able to create smaller structures. Mr Broadway added that the rear view of the building showed some earlier rebuilding, including windows from the 1930s and 1940s, and the location at the rear was the most appropriate for an extension, and the planning inspector did not favour a side extension. The current proposal had reduced the size from the original proposal, and had less visual impact, with a flat roof, of good quality, low profile finish.

Members further debated the importance of CDC working with parish councils to ensure appropriate communication, and sought further clarification regarding the roof and the potential for a green-roof and solar panels. Mr Whitty confirmed the roof would be constructed with zinc and a lantern for which there was a condition for blinds, and that the installation of a green roof would require significant bulk and weight which would not be appropriate. It would also not be reasonable to require solar panels on an extension, which would if installed, also have a negative impact on a listed building. With regard to working with Parish Councils, Mr Whitty

confirmed that Parish Councils had been offered a conversation with the case officer on any application and that officers were keen to foster good working relationships.

Recommendation to **Permit** application WR/19/02700/DOM as set out on the update sheet.

Recommendation to **Permit** application WR/19/02701/LBC with condition 4 to be omitted as set out on the update sheet.

The Committee took a five minute break.

11 **Masterplan for Tangmere proposing a mixed use development comprising up to 1,300 dwellings and supporting development.**

Miss Bell introduced the application.

Additional information was provided on the agenda update sheet regarding an additional consultee response from West Sussex County as the Highways Authority and Chichester Harbour Conservancy, and further representations from a planning consultancy on behalf of one of the land owners of the site. Corrections to the main report and appendix one were also listed.

Members discussed the value of establishing a masterplan, the positive achievements of developers working closely with the Parish Council, how the constraints of the land had been accommodated within the design, the proposal for no through traffic and early provision of spine road onto A27, single location of community facilities, cycle routes, provision of open space, over and above the standards, and school provision.

Members further discussed that from a positive view no through traffic would avoid 'rat-running', the importance of providing facilities suitable for a number of community activities, that the early provision of access to A27 and driving routes to the surgery from all areas was vital, the appropriateness of the density of housing, the necessity of walking and cycling provision to the school, and opportunity to drop children safely at the school by car.

Members sought further clarification regarding archeology, the time period of the bus subsidy, cycling facilities, trialing a through road/no through road, junctions types to minimize hedgerow loss, and introductions of 'twittens' to provide walking routes. Mr Whitty advised that at this stage the masterplan provided a broad approach but it was helpful for the developers to hear Members views. Currently an indicative cycle link was shown, but there would be further paths as the plans were developed. With regards to archeology, significant work had taken place and any further discovery of archeology would not change the current layout, but preservation would be applied where possible. Mr Whitty added that any applications submitted prior to the adoption of the new Local Plan would be based on current policy.

Mr Bleakley confirmed that 1300 houses will be the final number and this would not increase. With regards to the bus services Mr Bleakley advised that the subsidy

would not be limited to one year and believed that there would be engagement with the bus company and the phased occupation taken into consideration to establish what might be required with regards to bus services.

Mr Gledhill advised that with regards to access into the site from Tangmere Road, a roundabout has been indicatively suggested which in his opinion was suitable for a development of the proposed size, and design considerations as established by the outline application.

In response to a further matter of clarification regarding archeology, Mr Whitty confirmed that there had been some very significant archeological finds from the trial trenches, and there could be other finds but the view of the archeological officer was that the most significant finds are likely to have been located.

Miss Bell gave further points of clarification in relation to the primary school and that the developers are aware of the need provide drop-off points and pick-points which may have two different accesses to the school, and further explained that discussions would be taken forward regarding vehicle access to the surgery. On the matter of archeology, over 80 trial trenches had been dug, and the masterplan had been amended as a result of continuous discussion and on-site survey. Archeology of the most significant elements had been retained in-situ and the part of the open area expanded to accommodate these, with detailed recordings across the whole area completed, and the County's archeologist involved at all stages.

Members further discussed the issue of the cycle-route ending at Sainsbury's supermarket rather than the city centre, encouraging people to walk and cycle which may be supported by a no-through road, and the necessity to expand the capacity of the primary school.

That the Committee **endorsed** the Tangmere Masterplan.

The Committee took a 30 minute lunch break.

Mr McAra left the meeting and did not return.

12 **Update on West of Chichester**

Miss Bell introduced the report.

The following member of the public addressed the Committee:

Mr Philip Maber – Objector

During the discussion Members debated the timelines and slippage, the developers' plans for the southern access with dates, and the trigger points. Miss Bell drew Members attention to report which confirmed the timescales that the southern access would be available for construction traffic by the occupation of the 200th dwelling and for all traffic by the occupation of the 250th and this is an informative on the outline planning. Miss Bell added that officers were aware of the interest in this matter, that a quarterly update would be presented at the Planning Committee

meeting, and officers were regularly meeting with the developers, in order to gain updated information.

Members sought further clarification regarding a potential meeting to discuss designs for the southern end of Centurion Way. Miss Bell responded that she had not yet seen plans for this area. Discussions with Bishop Luffa School were in relation to them as land owners, and she would aim obtain further information regarding the timescales for when consultations would be progressed but did not have any further information at this time. Miss Bell added that it would be important for West Sussex County Council to be involved in such discussions.

Members further discussed the necessity for assurances that progress would be made regarding the land negotiations for the southern access. Mr Whitty confirmed that at the current time, with regards to the five year supply, west of Chichester was not yet in the situation which had been experienced at Tangmere. A Compulsory Purchase Order would require significant evidence that progress would not be achieved. Mr Whitty added that further information would be provided in the next quarterly update and if necessary a request would be made for the developers to attend. With regards to the southern access, the reason for the informative and not a legally binding trigger was because the Highways Authority could not in its professional view state that it was necessary for the southern access to be brought forward to enable phase one to be acceptable. The Chairman sought clarification regarding whether as the developers had given assurance that the southern access would be delivered by the end of phase one, could some leverage be employed in terms of permitting phase two. The Chairman also commented that the design discussions would be the responsibility of the Highways Authority and the developers. Mr Whitty responded that the Highways Authority would be relied upon for advice although CDC as the Planning Authority would approve the proposals. Off-site works were entirely the responsibility of West Sussex County Council as the Highways Authority, but CDC still had control over highways within the site. Mr Whitty also confirmed that the developers were not stalling proceedings, CDC was not party to the discussions and therefore could not state the cause of delay but that were several land parties and the developers did not own the site.

Mr Whitty further confirmed that officers would approach the developers to request they met with Mr Grimshaw (designer of Centurion Way).

That the Committee **noted** the report.

13 **CDC Guidance Note on Class Q Prior Approval**

Mr Whitty introduced the report.

Additional information was provided on the agenda update sheet regarding an acknowledgement of a number of typographical errors within the guidance notes and the listing of five amendments.

During the discussion Members debated that parish councils would welcome a guidance note to reduce ambiguity in such matters, and that relevant buildings must

have been in used for agriculture, or agricultural use prior to March 2013, or have been in use for a period of at least ten years, which was confirmed by Mr Whitty as correct.

Members further debated how such buildings are established as residential that they were not liable for Community Infrastructure Levy, and the type of buildings deemed convertible. Mr Whitty confirmed that this would clarify and strengthen the current situation, and that applicants would be required to demonstrate that a building was capable of being 'converted', although applicants would not be required to provide absolute proof and therefore a judgement from officers may be necessary.

Members also sought clarification regarding whether a landowner could improve an existing building to ensure it was capable of structural conversion and sustainability/energy efficient, prior to gaining permission for conversion. Mr Whitty responded with regards to thermal efficiency, there were no requirements, however once a building was in use, there would be the necessity to meeting building control specifications, and therefore an applicant would need to prove a build would meet these requirements without adding structural elements. Regarding pre-structural changes, there was nothing in the legislation that precluded this from taking place, however should there be evidence of such work, this would be investigated and potentially concluded that the building was not structurally sound prior to the addition. Mr Whitty added that consideration of case law may have to be relied upon.

That the Committee **endorsed** the consultation, once officers had incorporated comments made by the Planning Committee.

All changes following consultation to be returned to Committee, for final endorsement.

14 Chichester District Council, Schedule of Planning Appeals, Court and Policy Matters, Between 20 November 2019 and 10 December 2019

Members attention was drawn to the injunction for Birdham, Land North West of Premier Park, which was currently awaiting a hearing date.

15 South Downs National Park, Schedule of Planning Appeals, Court and Policy Matters, Between 20 November 2019 and 10 December 2019

Members of the Committee did not require any further information.

16 Consideration of any late items as follows:

There were no late items.

17 Exclusion of the Press and Public

There was no requirement to exclude the press and public.

18 **Agenda Update Sheet**

The meeting ended at 2.46 pm

CHAIRMAN

Date: