

Chichester District Council

Planning Committee

Wednesday 09 September 2020

Report of the Director of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters Between

22-Jul-2020 and 18-Aug-2020

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
20/00878/FUL Funtington Parish Case Officer: Maria Tomlinson Written Representation	Stockers Farm Salthill Road Fishbourne PO19 3PY - Removal of existing storage containers and erection of 1 no. storage barn for storage purposes ancillary to the residential property.
* 19/02876/FUL Sidlesham Parish Case Officer: Martin Mew Informal Hearing	Land Adjacent To Melita Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW - Change of use of land to travellers caravan site consisting of 4 no. pitches each containing 1 no. mobile home and ancillary development.

Reference/Procedure	Proposal
<p data-bbox="197 230 451 297">20/01470/FUL Sidlesham Parish</p> <p data-bbox="197 365 584 398">Case Officer: William Price</p> <p data-bbox="197 461 456 495">Informal Hearing</p>	<p data-bbox="639 230 1481 450">3 Melita Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW - Change of use of land to mixed use for siting of residential caravans for 3 no. pitch Gypsy Traveller site with associated development (hard standing, fencing and utility buildings) on land forming part of 3 Melita Nursery -part retrospective.</p>
<p data-bbox="197 546 485 613">19/02691/FUL Southbourne Parish</p> <p data-bbox="197 680 478 748">Case Officer: Maria Tomlinson</p> <p data-bbox="197 775 552 808">Written Representation</p>	<p data-bbox="639 546 1481 797">Thornham Products Thornham Lane Southbourne PO10 8DD - Retrospective grant of planning permission to station existing single mobile home on the land and to continue to use it for the applicant's place of residence. (Variation of condition 2 of permission SB/15/01837/FUL - Change of wording of the condition to enable the occupiers to remain on site under a personal permanent permission).</p>

2. DECISIONS MADE

Reference/Procedure	Proposal
<p data-bbox="197 297 453 365">19/01313/FUL Chichester Parish</p> <p data-bbox="197 432 612 465">Case Officer: Calum Thomas</p> <p data-bbox="197 528 552 562">Written Representation</p>	<p data-bbox="639 297 1442 365">Land At The East Of Joys Croft Chichester West Sussex PO19 7NJ - Erection of 1 no. dwelling.</p>
<p data-bbox="549 589 1134 622">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="178 629 1493 1760">"The appeal is dismissed....The appeal site comprises an area of concrete hardstanding and a small open area to the rear of dwellings fronting Joys Croft.... The backland siting of the proposed dwelling and side garden would thus be at odds with the prevailing pattern of development... the internal floor area of the proposed dwelling is approximately 60 m2. It would therefore be significantly smaller than the minimum gross internal floor area for a 2-storey 2-bedroom 3-person dwelling of 70 m2 plus 2 m2 of built-in storage set out in the Technical housing standards- nationally described space standard (NDSS). ...NDSS does not appear to have been adopted by the Council. Even so, it provides a general guide as to the quantum of space which is necessary to provide future occupants with a reasonable amount of room to undertake a range of day-to-day activities...the proposed dwelling would have an inadequate internal floor area to provide satisfactory living conditions for potentially three occupiers. ... with no front or rear gardens but a garden area proposed instead to the side ... the proposed garden area would be entirely overlooked, ... ground floors of both Nos. 78 and 78a are both in use as hot food takeaways with extraction flues to their rear elevations. Noise and odours from these properties would potentially adversely affect the enjoyment of the proposed garden, for which there is no proposed or obvious means of mitigation. ...therefore conclude that the proposed development would fail to provide adequate living conditions for the future occupiers of the proposed dwelling. ... the rear elevation of the proposed dwelling would be very close to the rear elevation of the flat above Nos. 78 and 78a. Three windows in this elevation face the site, two of which would look directly onto the proposed dwelling ... The dormer windows in the front elevation of the proposed dwelling would afford views into this conservatory and the rear garden of 'Haven'.... The dwelling would have an adequate means of access and vehicles exiting the car port would be able to turn in the space in front of the garages. Overall, I conclude that the proposed development would be unacceptably harmful to the living conditions of the occupiers of the flat above Nos. 78 and 78a and of 'Haven' through the loss of outlook and privacy respectively ... However, I find no conflict in this regard with Policy 39 of the CLPKP ... an additional dwelling would make a minimal contribution to the housing supply in the district and the associated social and economic benefits would be very limited. These benefits are not sufficient to outweigh the harm I have identified to the local environment and the living conditions of neighbouring and future occupiers. ..."</p>	

Reference/Procedure	Proposal
<p data-bbox="197 230 464 300">19/00350/LBC Donnington Parish</p> <p data-bbox="197 365 475 434">Case Officer: Maria Tomlinson</p> <p data-bbox="197 459 552 495">Written Representation</p>	<p data-bbox="639 230 1461 338">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 data-bbox="549 521 1134 555">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="180 562 1461 1509">Hardings Farm is a Grade II listed L-shaped house. The south wing dates from the 17th century, and the south elevation of the south wing is heavily punctuated by a number of ground and first floor windows of varying sizes. Part of the significance of Hardings Farm is derived from the historic windows in the south wing in terms of their materials and craftsmanship. Furthermore, their aesthetic quality, derived from their age, also contributes to their visual interest. Consequently they contribute to the significance and special interest of the property. ... The replacement windows loosely replicate the more historic windows found in the south wing, but there are key differences. Firstly, they are double glazed which gives depth to the casements and is also visible through the glass. As set out above they also include trickle vents which are visible from inside and out, and overall the window frame and glazing bars have sharper, squarer, engineered edges in contrast to the more historic windows which have thinner puttied glazing bars which gives them an entirely different appearance. Again, as previously noted, the plans also show flush casements but on site these sit proud. When looked at in detail, therefore, the proposed windows are not a 'like for like' match.... therefore find that the loss of historic windows and their replacement as proposed would cause harm to the special architectural and historic interest of Harding's Farm. The harm I have found would be 'less than substantial' for the purposes of the National Planning Policy Framework (the Framework) given the scale and impact of the proposed works. As per para 196 of the Framework this harm should be weighed against the public benefits of the proposal. The appellant states that the previous windows were beyond repair but there is no evidence before me that this was the case. I accept that the new windows have improved the internal living environment for occupants and might be more thermally efficient. However, there are alternative thermal upgrading options.... Such benefits would not, therefore, outweigh the harm that I have identified, which must be given considerable importance and weight in the balancing exercise.</p>	

Reference/Procedure	Proposal
<p data-bbox="197 230 448 300">19/02811/DOM Linchmere Parish</p> <p data-bbox="197 365 580 398">Case Officer: William Price</p> <p data-bbox="197 461 552 495">Written Representation</p>	<p data-bbox="639 230 1469 338">Pond Cottage Camelsdale Road Camelsdale Linchmere GU27 3RB - Single storey extension to north, replacement of existing roof extension and internal alterations.</p>
Appeal Decision: APPEAL DISMISSED	
<p data-bbox="180 546 1487 1122">“...The appeal is dismissed. The main issues are the effect of the proposed works on the special architectural and historic interest of Pond Cottage which is Grade II listed, and linked to that whether they would preserve or enhance the character or appearance of the Cammelsdale and Hammer Conservation Area. The proposed works include a single storey extension which would have a relatively modern roof form comprising a low hipped roof behind which would be concealed a flat roof. The appeal property has a mixture of fully pitched gables and half hips therefore the proposed roof would appear out of keeping with these in addition to the above it is proposed to subdivide the existing kitchen into a utility and WC. This would involve the construction of a partition wall that would bisect the existing kitchen window in two. The window in question is of some age and was not originally designed to be split in two. Such a change, even if reversible, would be apparent internally and also externally and would detract from the special historic and architectural interest of the property. For these reasons the proposed works would detract from the special architectural and historic interest of the cottage. The extension would also be clearly visible from across the pond and as such would neither preserve nor enhance the character or appearance of the CA....”</p>	
<p data-bbox="197 1173 448 1243">19/02812/LBC Linchmere Parish</p> <p data-bbox="197 1308 580 1341">Case Officer: William Price</p> <p data-bbox="197 1404 552 1438">Written Representation</p>	<p data-bbox="639 1173 1469 1352">Pond Cottage Camelsdale Road Camelsdale Linchmere GU27 3RB - Single storey extension to north, replacement of existing roof extension and internal alterations including the replacement of staircase, opening of original doorway and blocking of doorway to south of dining room.</p>
Appeal Decision: APPEAL DISMISSED	
As above	

Reference/Procedure	Proposal
<p data-bbox="197 230 427 297">19/01240/FUL Loxwood Parish</p> <p data-bbox="197 365 616 398">Case Officer: Jeremy Bushell</p> <p data-bbox="197 461 411 495">Public Inquiry</p>	<p data-bbox="639 230 1484 450">Land South West Of Guidford Road Loxwood West Sussex - Demolition of existing dwelling and the erection of 50 dwellings to include 35 private units and 15 affordable units, creation of proposed vehicular access, internal roads and footpaths, car parking, sustainable drainage system, open space with associated landscaping and amenity space.</p>
Appeal Decision: APPEAL WITHDRAWN	
Appeal Withdrawn	
<p data-bbox="197 674 531 741">16/00325/CONCOM North Mundham Parish</p> <p data-bbox="197 808 592 842">Case Officer: Shona Archer</p> <p data-bbox="197 904 552 938">Written Representation</p>	<p data-bbox="639 674 1414 741">6 Oakdene Gardens North Mundham Chichester West Sussex PO20 1AQ - Appeal against NM/28</p>
Appeal Decision: APPEAL DISMISSED - NOTICE UPHELD	
<p data-bbox="180 1043 1484 2049">"... The appeals are dismissed and the enforcement notice is upheld. The appeal site is part of a larger area of land that was previously in use as a scrap yard. Eight dwellings have been built on the land following outline planning permission¹ and reserved matters. ... In appeals on legal grounds, in this case grounds (b), (c), (d) and (e), the onus is on the appellants to provide all the relevant information and evidence to support their case, and the standard of proof is the balance of probability. Appeals on ground (e) - The ground of appeal is that copies of the enforcement notice were not served, ... The appellants have been able to lodge an appeal and provide evidence. ...The appeals on ground (e) therefore fail. Appeals on ground (b) - This ground of appeal is that the matters stated in the notice have not occurred. ...The appellant does not dispute that the land is being used to store the items listed and is enclosed by a fence, and consequently the appeals on ground (b) must fail. Appeals on ground (c) - This ground of appeal is that the matters stated in the notice do not constitute a breach of planning control. ...The appeal site is being used to store items belonging to the appellants, who do not live at No 6. This is therefore an entirely separate and standalone storage use on a separate unit of occupation, which is both physically and functionally separate. ... The site is dominated by the storage containers and open storage ... This is not akin to the storage of personal items within a garden. ... Accordingly, a material change of use has occurred and the appeals on ground (c) fail. Appeals on ground (d) - The ground of appeal is that at the date the notice was issued no enforcement action could be taken in respect of the matters alleged in the notice. The time limit for taking enforcement action against development comprising a material change of use of this kind is 10 years ... It has not been demonstrated that the use has been carried on for the necessary period, and therefore the appeals on ground (d) fail. Appeals on ground (g) - The ground of appeal is that the period for compliance specified in the notice falls short of what should reasonably be allowed ... the notice requires that the items be removed from the land, not that they be disposed of. They could therefore be stored elsewhere rather than thrown away. The three months' compliance period is reasonable, and the appeals on ground (g) fail."</p>	

Reference/Procedure	Proposal
<p data-bbox="197 230 571 300">19/02126/FUL Wisborough Green Parish</p> <p data-bbox="197 365 563 394">Case Officer: Martin Mew</p> <p data-bbox="197 459 552 488">Written Representation</p>	<p data-bbox="639 230 1445 371">Goose Cottage Durbans Road Wisborough Green RH14 ODG - Change of use of 1 no. existing timber clad store room into 1 no. new dwelling. Removal of temporary tent garage and replacement with 1 no. timber clad garage.</p>
<p data-bbox="549 555 1134 584">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="180 600 1477 918">"... the proposal would conflict with the Council's strategic approach towards the location of development and result in future occupiers being dependent on the private car. The development would also cause harm to the living conditions of neighbouring residents. Although some benefits would arise from the proposal including the boost to housing supply and the economic benefits arising from the construction and subsequent occupation of the dwelling, the small scale of the development means that the benefits would be limited. Furthermore, whilst the proposal would accord with The Framework in some respects, for the reasons set out above, I conclude that the development would be contrary to The Framework when taken as a whole. ..."</p>	

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p><u>17/00356/CONMHC</u> Birdham Parish</p> <p>Case Officer: Shona Archer</p> <p>Informal Hearing</p>	<p>Plot 12 Land North West Of Premier Business Park Birdham Road Appledram West Sussex - Without planning permission, change of use of the Land to the storage of a caravan and a highway maintenance vehicle used for white line painting.</p> <p>Linked to 17/00361/CONMHC & 17/00362/CONMHC</p>
<p><u>17/00361/CONMHC</u> Birdham Parish</p> <p>Case Officer: Shona Archer</p> <p>Informal Hearing</p>	<p>Plot 13 Land North West Of Premier Business Park Birdham Road Appledram West Sussex - Without planning permission, change of use of the Land to the storage of a caravan and a diesel fuel oil tank.</p> <p>Linked to 17/00356/CONMHC & 17/00362/CONMHC</p>
<p><u>17/00362/CONMHC</u> Birdham Parish</p> <p>Case Officer: Shona Archer</p> <p>Informal Hearing</p>	<p>Plot 14 Land North West Of Premier Business Park Birdham Road Appledram West Sussex - Without planning permission change of use of the land to use as a residential caravan site.</p> <p>Linked to 17/00356/CONMHC & 17/00361/CONMHC</p>
<p><u>19/00845/FUL</u> Birdham Parish</p> <p>Case Officer: Martin Mew</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>19/01352/DOM</u> Bosham Parish</p> <p>Case Officer: Oliver Naish</p> <p>Householder Appeal</p>	<p>The Old Town Hall Bosham Lane Bosham PO18 8HY - Construction of an outdoor swimming pool.</p>

Reference/Procedure	Proposal
<p>* 20/00128/FUL Bosham Parish</p> <p>Case Officer: William Price</p> <p>Written Representation</p>	<p>Lower Hone Farm Lower Hone Lane Bosham Chichester West Sussex PO18 8QN - Change use of storage barn to 1 no. dwellinghouse and associated works, including natural swimming pond and landscaping.</p>
<p>20/00609/DOM Chichester Parish</p> <p>Case Officer: William Price</p> <p>Written Representation</p>	<p>3 Franklin Place Chichester PO19 1BL - First floor rear extension and replacement conservatory.</p> <p>Linked to 20/00610/LBC</p>
<p>20/00610/LBC Chichester Parish</p> <p>Case Officer: William Price</p> <p>Written Representation</p>	<p>3 Franklin Place Chichester PO19 1BL - First floor rear extension and replacement conservatory.</p> <p>Linked to 20/00609/DOM</p>
<p>16/00320/CONCOU Earnley Parish</p> <p>Case Officer: Steven Pattie</p> <p>Written Representation</p>	<p>Witsend Nursery Third Avenue Batchmere Chichester West Sussex PO20 7LB - Appeal against E/32</p>
<p>20/00967/FUL Earnley Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>101A First Avenue Almodington Batchmere West Sussex PO20 7LQ - Proposed cladding to walls and roof of existing horticultural building (greenhouse) and additional internal works.</p>

Reference/Procedure	Proposal
<p data-bbox="197 230 416 259">19/02922/DOM</p> <p data-bbox="197 271 485 338">East Wittering And Bracklesham Parish</p> <p data-bbox="197 365 612 394">Case Officer: Calum Thomas</p> <p data-bbox="197 461 512 490">Householder Appeal</p>	<p data-bbox="639 230 1487 331">Cornerpiece 18 Coney Road East Wittering PO20 8DA - Proposed entrance porch and loft conversion including 2 no front dormers.</p>
<p data-bbox="197 564 459 593">17/00011/CONBC</p> <p data-bbox="197 604 453 633">Funtington Parish</p> <p data-bbox="197 701 544 730">Case Officer: Tara Lang</p> <p data-bbox="197 797 456 826">Informal Hearing</p>	<p data-bbox="639 564 1453 631">Land South Of The Stables Newells Lane West Ashling West Sussex - Appeal against Enforcement Notice FU/71</p>
<p data-bbox="197 880 448 909">18/00323/CONHI</p> <p data-bbox="197 920 453 949">Funtington Parish</p> <p data-bbox="197 1016 552 1046">Case Officer: Sue Payne</p> <p data-bbox="197 1113 549 1142">Written Representation</p>	<p data-bbox="639 880 1442 987">West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ - Appeal against HH/22</p>
<p data-bbox="197 1196 405 1225">19/01400/FUL</p> <p data-bbox="197 1236 429 1265">Loxwood Parish</p> <p data-bbox="197 1332 580 1361">Case Officer: William Price</p> <p data-bbox="197 1429 552 1458">Written Representation</p>	<p data-bbox="639 1196 1418 1346">Moore's Cottage Loxwood Road Alfold Bars Loxwood Billingshurst West Sussex RH14 0QS - Erection of a detached dwelling following demolition of free-standing garage.</p>
<p data-bbox="197 1512 411 1541">19/02781/OUT</p> <p data-bbox="197 1552 429 1581">Loxwood Parish</p> <p data-bbox="197 1648 616 1677">Case Officer: Jeremy Bushell</p> <p data-bbox="197 1744 411 1774">Public Inquiry</p> <p data-bbox="197 1785 360 1814">03/11/2020</p> <p data-bbox="197 1825 576 1933">The Vicars Hall Cathedral Cloisters Chichester PO19 1PX</p>	<p data-bbox="639 1512 1461 1662">Land South Of Loxwood Farm Place High Street Loxwood West Sussex - The erection of up to 22 no. residential dwellings with all matters reserved, except for access (excluding internal estate roads).</p>

Reference/Procedure	Proposal
<p data-bbox="197 230 461 300">19/00141/CONHH Oving Parish</p> <p data-bbox="197 365 608 398">Case Officer: Emma Kierans</p> <p data-bbox="197 461 552 495">Written Representation</p>	<p data-bbox="639 230 1469 371">Oakham Farmhouse Church Lane Oving Chichester West Sussex PO20 2BT - Appeal against a fence in excess of 1 metre in height erected adjacent to the highway, subject to Enforcement Notice O/30.</p>
<p data-bbox="197 544 555 613">17/00104/CONBC Plaistow And Ifold Parish</p> <p data-bbox="197 678 555 712">Case Officer: Sue Payne</p> <p data-bbox="197 775 552 808">Written Representation</p>	<p data-bbox="639 544 1422 685">Burgau Barn Plaistow Road Ifold Loxwood Billingshurst West Sussex RH14 0TZ - Appeal against Enforcement Notice PS/68 and planning permission refusal for 18/01685/FUL.</p>
<p data-bbox="197 913 555 983">18/01685/FUL Plaistow And Ifold Parish</p> <p data-bbox="197 1048 560 1081">Case Officer: Martin Mew</p> <p data-bbox="197 1144 552 1178">Written Representation</p>	<p data-bbox="639 913 1417 983">Burgau Barn Plaistow Road Ifold Loxwood RH14 0TZ - Retrospective single storey side extension.</p>
<p data-bbox="197 1283 448 1352">19/01103/LBC Sidlesham Parish</p> <p data-bbox="197 1417 475 1487">Case Officer: Maria Tomlinson</p> <p data-bbox="197 1507 552 1541">Written Representation</p>	<p data-bbox="639 1283 1485 1352">Highleigh Farmhouse Highleigh Road Sidlesham PO20 7NR - Installation of replacement windows to match existing.</p>
<p data-bbox="197 1597 448 1666">20/00046/PA3Q Sidlesham Parish</p> <p data-bbox="197 1731 580 1765">Case Officer: William Price</p> <p data-bbox="197 1827 552 1861">Written Representation</p>	<p data-bbox="639 1597 1449 1711">Land North Of 66 Street End Lane Sidlesham Chichester West Sussex PO20 7RG - Change of use of 2 no. agricultural buildings to 2 no. dwellings (Class C3).</p>

Reference/Procedure	Proposal
<p data-bbox="197 230 485 297">19/01859/FUL Southbourne Parish</p> <p data-bbox="197 365 612 398">Case Officer: Calum Thomas</p> <p data-bbox="197 461 552 495">Written Representation</p>	<p data-bbox="639 230 1487 297">Land Rear Of Mayfield Prinsted Lane Prinsted Southbourne PO10 8HS - 1 no. dwelling.</p>
<p data-bbox="197 544 461 611">19/00070/CONHH Tangmere Parish</p> <p data-bbox="197 678 552 712">Case Officer: Sue Payne</p> <p data-bbox="197 775 552 808">Written Representation</p>	<p data-bbox="639 544 1469 689">12A Nettleton Avenue Tangmere Chichester West Sussex PO20 2HZ - Appeal against development of a wind turbine and gates in excess of 1m height adjacent to highway, subject to Enforcement Notice TG/24.</p>
<p data-bbox="197 857 446 925">19/01532/FUL Tangmere Parish</p> <p data-bbox="197 992 580 1025">Case Officer: William Price</p> <p data-bbox="197 1088 552 1122">Written Representation</p>	<p data-bbox="639 857 1487 1037">17 Nettleton Avenue Tangmere Chichester West Sussex PO20 2HZ - Proposed extension of boundary to existing dwelling at 17 Nettleton Avenue to change use of land from public amenity space to private garden. Associated erection of boundary treatment</p>
<p data-bbox="180 1171 446 1238">* 19/02365/FUL Tangmere Parish</p> <p data-bbox="197 1305 564 1339">Case Officer: Martin Mew</p> <p data-bbox="197 1402 552 1435">Written Representation</p>	<p data-bbox="639 1171 1477 1317">Land To The West Of Hangar Drive Tangmere West Sussex - Erection of 6 no. flats with associated parking, bin and cycle store, landscaping and open space (consistent with scheme approved under 16/00444/FUL).</p>
<p data-bbox="197 1485 501 1552">18/00100/CONCOU West Itchenor Parish</p> <p data-bbox="197 1619 587 1653">Case Officer: Steven Pattie</p> <p data-bbox="197 1715 552 1749">Written Representation</p>	<p data-bbox="639 1485 1445 1552">Northshore Yacht Limited The Street Itchenor Chichester West Sussex PO20 7AY - Appeal against WI/16</p>

Reference/Procedure	Proposal
<p data-bbox="196 230 512 297"><u>16/00251/CONBC</u> West Wittering Parish</p> <p data-bbox="196 338 587 371">Case Officer: Steven Pattie</p> <p data-bbox="196 412 552 445">Written Representation</p>	<p data-bbox="639 230 1481 371">Land East Of Brook House Pound Road West Wittering Chichester West Sussex PO20 8AJ - Appeal against breach of condition 2 to 13/02676/DOM - use of outbuilding subject to Enforcement Notice WW/49.</p>
<p data-bbox="180 506 512 573">* 18/02708/DOM West Wittering Parish</p> <p data-bbox="196 613 563 647">Case Officer: Martin Mew</p> <p data-bbox="196 687 552 721">Written Representation</p>	<p data-bbox="639 506 1474 647">Dolphins Rookwood Lane West Wittering Chichester West Sussex PO20 8QH - Proposed steps down through garden to a 1.5 metre long tunnel beneath public footpath rising through to another set of steps to the foreshore garden.</p>
<p data-bbox="180 786 512 853">* 19/01622/FUL West Wittering Parish</p> <p data-bbox="196 916 563 949">Case Officer: Martin Mew</p> <p data-bbox="196 1012 552 1046">Written Representation</p>	<p data-bbox="639 786 1465 927">Surbitonia 45 Howard Avenue West Wittering PO20 8EX - Demolition of an existing bungalow with a garage and erection of 2 no. replacement two storey dwellings with separate access and parking.</p>
<p data-bbox="196 1155 512 1223">19/02136/FUL West Wittering Parish</p> <p data-bbox="196 1285 478 1352">Case Officer: Maria Tomlinson</p> <p data-bbox="196 1382 552 1415">Written Representation</p>	<p data-bbox="639 1155 1469 1296">Land East Of Brook House Pound Road West Wittering Chichester West Sussex PO20 8AJ - Construction of 1 no. boat house with ground floor storage ancillary to first floor self-contained residential unit.</p>
<p data-bbox="196 1480 488 1547"><u>13/00163/CONWST</u> Westbourne Parish</p> <p data-bbox="196 1619 593 1653">Case Officer: Shona Archer</p> <p data-bbox="196 1715 413 1783">Public Inquiry 05/01/2021</p> <p data-bbox="196 1800 536 1908">Chichester City Council North Street Chichester PO19 1LQ</p>	<p data-bbox="639 1480 1465 1588">The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex - Appeal against WE/40, WE/41 and WE/42.</p>

Reference/Procedure	Proposal
<p>19/00117/CONMHC Westbourne Parish</p> <p>Case Officer: Steven Pattie</p> <p>Informal Hearing</p>	<p>Land North Of The Grange Woodmancote Lane Woodmancote Emsworth Hampshire - Appeal against stationing of 2 mobile homes (see permission 19/00606/FUL) and subject to Enforcement Notice WE/47.</p>
<p>20/00237/FUL Westbourne Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearing</p>	<p>Land North Of The Grange Woodmancote Lane Woodmancote Emsworth Hampshire - Erection of a polytunnel to house fish tanks for a hydroponic / aquaponic fish farm.</p>
<p>20/00366/FUL Westbourne Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>Woodmancote Meadow Woodmancote Lane Westbourne West Sussex PO10 8RF - Erection of a 1 no. 3 bedroom dwelling.</p>

4. VARIATIONS TO SECTION 106 AGREEMENTS

[20/00084/OBG](#): Greenacre Nursery, Main Road, Chidham, Chichester, West Sussex, PO18 8TP

The proposed amendments to the S.106 agreement relate to the detailed provisions of the mortgagee in possession obligations. The amendment was proposed to bring the wording in line with updated National Housing Federation recommended clauses, which CDC now use as standard. The updated wording would allow the Registered Provider to achieve the maximum possible value when securing affordable housing finance. The proposals do not change the approved proportion, mix and tenure of affordable dwellings secured under the S.106. The variation facilitates the ability/viability of registered providers to continue to deliver affordable housing in the District.

CDC Housing supports the proposed changes. The S.106 deed of variation was completed on 19th August 2020.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Land West of Birdham Farm, Birdham Road, Chichester	Of 4 Enforcement Notices. Hearing at the High Court for our Application for a permanent Injunction Order	Final hearing at the High Court on 27 & 28 July. Court granted our Application and issued a permanent injunction against 25 Defendants and Persons Unknown. The Injunction requires them to stop using the land for human habitation and remove all caravans and accessories by 31 December 2020 and to remove all cabling, stables, tracks etc. and restore the land to agricultural use by 31 January 2020. The Defendants were ordered to pay the Council's costs of the proceedings (amount to be assessed by the court).

High Court Hearings		
Site	Matter	Stage
23 Southgate, Chichester (The Vestry)	Challenge to issue of planning permission dated 9 th December 2019	Consent Order has been signed on behalf of the Council but the interested party, Sussex Inns Limited, are defending the claim. Hearing date set for 15 th September 2020.

Prosecutions		
Site	Breach	Stage
Land South of the Stables, Newells Lane, Chichester	Of Enforcement Notice requiring the removal of Pillars, walls and debris	Letter before action sent to owner of the land on 22 June notifying him of the matter referred to the Legal Department for prosecution unless the breach is rectified. The letter gave him until the beginning of August to comply or proceedings would commence. Currently, courts are clearing the backlog because of Covid-19 and therefore are prioritizing urgent cases, such as domestic abuse, defendants in custody and trials. Legal is liaising with the department which will arrange for another site visit before Legal commences proceedings.

7. POLICY MATTERS

None