

Chichester District Council

Planning Committee

Wednesday 09 December 2020

Report of the Director Of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters

Between 14-Oct-2020 and 18-Nov-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)

None

2. DECISIONS MADE

Reference/Procedure	Proposal
<p data-bbox="197 297 419 367"><u>19/01352/DOM</u> Bosham Parish</p> <p data-bbox="197 434 571 465">Case Officer: Oliver Naish</p> <p data-bbox="197 528 512 562">Householder Appeal</p>	<p data-bbox="638 297 1422 367">The Old Town Hall Bosham Lane Bosham PO18 8HY - Construction of an outdoor swimming pool.</p>
Appeal Decision: APPEAL DISMISSED	
<p data-bbox="180 629 1503 1144">“...I consider that the swimming pool would appear as an intrusive modern element, entirely unrelated to the history and setting of a building of the age and appearance of the Old Town Hall. This would be the case whether the pool was covered when not in use or not. For that reason, I consider that the introduction of the swimming pool, with its regular shape and York stone paving would detract from and cause less than significant harm to the setting of the listed building and to the character and appearance of the BCA. ... There would be a short-term economic benefit during construction works, and potentially during future maintenance, but these would be limited in time and extent. I do not consider them sufficient to outweigh the less than substantial harm which I have identified. ... The Appellant falls within two of the nine protected characteristics in the PSED, namely age and disability through arthritis and cancer. ... The addition of a swimming pool to the garden would be a permanent change to the setting of the listed building and although I have attached some weight to the Appellants situation, I do not consider it to be sufficient to overcome the objection to the proposed development identified above ...“</p>	

Reference/Procedure	Proposal
<p data-bbox="197 230 461 300"><u>19/00141/CONHH</u> Oving Parish</p> <p data-bbox="197 365 608 398">Case Officer: Emma Kierans</p> <p data-bbox="197 459 552 492">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="549 521 1134 555">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="180 562 1487 848">" The appeals are dismissed and the enforcement notice upheld.The fencing is of solid design and of considerable length. It is a particularly stark boundary treatment. It is therefore an incongruous addition in this area of strong underlying rural character and from a visual perspective detracts from its character and appearance. The fencing is of poor design within its context and fails to take the opportunities available for improving the character and quality of the area..... I conclude that the fencing is harmful to the character and appearance of the area in contravention of Policy 48 of the Chichester Local Plan: Key Policies 2014-2029 (the LP).... "</p>	

Reference/Procedure	Proposal
<p data-bbox="196 230 485 297"><u>19/01859/FUL</u> Southbourne Parish</p> <p data-bbox="196 365 616 398">Case Officer: Calum Thomas</p> <p data-bbox="196 454 552 488">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="552 517 1134 555">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="180 562 1487 1812">“ ... I recognise that the LP has not been reviewed within 5 years of its adoption. However, Framework paragraph 33 requires such plans to be 'updated as necessary' and there is nothing in the Framework to indicate that the definition of settlement boundaries is no longer a suitable policy approach. In addition, Framework paragraph 213 confirms that existing development plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. ... While I sympathise with the appellant's needs and desire to make a new start by residing in the proposed house, I have borne in mind that this development would remain long after these personal circumstances have ceased to be material. ... PPG confirms that the duty to grant planning permission for self/build and custom houses relates to plots of land that are 'suitable' for housing. I have found the appeal site is not suitable for housing ... The appellant's flood risk assessment confirms that the appeal site is therefore in an area at risk of flooding ... The appellant's sequential test is ... unduly constrained and so is unlikely to be representative of the full extent of potential reasonably available sites in areas with a lower risk of flooding appropriate for the proposed type of development. ... The Council did not object to the design of the proposed house... It would not be prominent. ... the scale and extent of the development would be limited and it would as a result cause no harm to the landscape or scenic beauty of the AONB, or to its wildlife or cultural heritage. However, the absence of harm in these matters is a neutral factor in my decision. ... it is common ground between the main parties that the Council is unable to demonstrate a 5-year housing land supply. ... Framework paragraph 11(d) is engaged such that the policies which are most important for determining the application are out-of-date. ... Council intends its IPS meantime to facilitate increased housing supply by permitting appropriate housing development, it is nonetheless a draft document. Though it has been subject to some public consultation it has yet to be considered by the Council's members and may therefore be subject to change. Consequently, the IPS has not yet reached an advanced stage of preparation and I therefore give it little weight in my decision. ... appeal proposal would cause significant harm to the Council's development strategy and settlement hierarchy, and to the Council's and the Government's flood risk strategy for housing development. I attach substantial weight to this harm. ... The appeal proposal would result in a net gain of one residential unit and release the appellant's existing house for occupation by another family. It would also be within walking or cycling distance of some local facilities and services, including public transport. These would be modest benefits of the appeal proposal ... For the reasons given, the appeal does not succeed and planning permission is not granted... “</p>	

Reference/Procedure	Proposal
<p data-bbox="197 230 448 300"><u>19/01532/FUL</u> Tangmere 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 1481 409">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="549 521 1134 555">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="180 566 1394 1256">“The site lies within Tangmere Conservation Area (TCA), a designated heritage asset, having been included following the conservation area boundary review recommendations in the 2014 Tangmere Conservation Area Character Appraisal. The appeal relates to an area of land to the side of No 17, which has been largely enclosed by fencing and planting with the effect of incorporating it into the front, side and rear garden area of the host dwelling. The fence as proposed differs from that as erected, mainly because the section of closeboarded fence and trellis of approximately 1.8m in height erected alongside Nicholson Close is proposed to be replaced by approximately 0.9-1.1m high post and rail fencing as shown on the revised plans. ... In addition, the close-boarded fence with trellis outer face positioned parallel to and set back from Nettleton Avenue, is indicated to be 0.9m and thus would be notably reduced from the height I saw during my visit. ... Nevertheless, the enclosure of the appeal site serves to erode the reasonably spacious character at the entrance to the development, the transition from the very open recreation ground to the Nicholson Close development, and the general spaciousness of this part of the TCA. ... Thus, the proposal would have a modest negative effect on the significance of the TCA and so it would not be consistent with the statutory desirability of preserving or enhancing the character or appearance of the conservation area. ...”</p>	

Reference/Procedure	Proposal
<p>* <u>19/02365/FUL</u> Tangmere Parish</p> <p>Case Officer: Martin Mew</p> <p>Written Representation</p>	<p>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.</p> <p>Referred to as: Land north east of Tangmere Military Aviation Terrace, Tangmere PO20 2ES in appeal decision</p>
Appeal Decision: APPEAL DISMISSED	
<p>... Since it made its decision, the Council is no longer able to demonstrate a 5-year housing land supply. It also considers that the proposed development is in conflict with its recent Interim Position Statement for Housing Development (the IPS)..... the National Planning Policy Framework (the Framework) now includes at paragraph 130, under the heading ‘achieving well-designed places’, that local planning authorities should ‘seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme’. Although it is complete, the effect of the appeal proposal would be to change the development that has only recently been completed. Furthermore, while there has been no change to the development plan since the previous permission, the relevant policies must now be reasonably considered in the light of current circumstances.... The relatively tight, mainly terraced block arrangement of the homes around the perimeter of the POS form a marked sense of enclosure, within which the extent of the POS provides a landscape setting to built form and an appreciable degree of spaciousness and visual separation between opposing homes that overlook it. This pattern and layout of development defines a tangible sense of place that is noticeable in public views and locally distinctive. The POS therefore has an important function beyond meeting residents’ recreational, leisure or health and well-being needs — it is also an integral part of the planned layout and design quality of the permitted scheme and as is evident from what has been built and now exists.... the apartment building would occupy a somewhat detached and isolated position relative to the linear, regimented arrangement of the nearby buildings. It would also be significantly closer to one corner of the access road as it enters the permitted scheme than the existing buildings at the opposite end of the POS. It would also substantially reduce the extent of undeveloped land between some existing buildings around the POS and some would face the side and rear elevations of the apartment building, rather than the POS and towards opposing facing buildings. It would also block any view of the POS from the long internal spine road on the approach towards it from within the more densely developed part of the permitted scheme....Consequently, the appeal proposal would cause significant harm to the character and appearance of the area.... I acknowledge that despite the loss of some of the POS that would result from the appeal proposal, the overall total net area of public open space left to serve the permitted scheme and the appeal proposal would still exceed the Council’s minimum open space standards for both of these housing developments combined....However, ‘area’ is not the only relevant consideration....the appeal proposal would seriously reduce (by about half) the dimensions and shape of the large POS, especially its length. This would therefore significantly limit its useability for informal recreational activity such as ball games (eg football) or use by larger groups of people. It would also unacceptably compromise the combined and complimentary nature of these two areas of public open space to meet the recreational, leisure and health or well-being needs of local residents of all ages, including future occupiers of the appeal</p>	

**Appeal Decision: APPEAL DISMISSED
- Continued**

proposal....Consequently, the appeal proposal would cause significant harm to the provision of open space....It is common ground between the main parties that the Council is unable to demonstrate a 5-year housing land supply, with only a 4.3-year supply....Accordingly, the presumption in favour of sustainable development as set out in Framework paragraph 11 requires planning permission to be granted unless either of two circumstances apply. The second of these is where any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, in which case in accordance with Framework paragraph 11(d)(ii) the presumption in favour of sustainable development would not apply...the IPS has not yet reached an advanced stage of preparation and I therefore give it little weight in my decision...find that the scale of development proposed and the identified benefits would be limited, such that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. “

Reference/Procedure	Proposal
<p>* <u>18/02708/DOM</u> West Wittering Parish</p> <p>Case Officer: Fjola Stevens</p> <p>Written Representation</p>	<p>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>

Appeal Decision: APPEAL ALLOWED

“...Dolphins is located at the edge of Chichester Harbour within the AONB....Viewed from the gardens and rear windows of Dolphins and its neighbours, the tunnel entrance would be seen in the side face of the bank within the residential garden environment. In this domestic context it would do no harm to the character and appearance of the area or outlook from these dwellings....On the opposite side of the footpath, the tunnel would lead to land open to the Harbour. The tunnel mouth would be within the top of the bank rather than its side face so it would not be readily visible to anybody on the water, or walking on the foreshore, which are at an appreciably lower level. Views may be possible from higher vessels within the harbour, but there is no substantive evidence that they would come close enough to the shore to have clear views of the tunnel mouth. The plans indicate that a handrail would protrude a short distance above the ground level. However, irrespective of the use of the land between the footpath and the water and any associated paraphernalia, against the landscape backdrop of the harbourside and alongside an existing timber jetty, this small protrusion would be barely noticeable. It would not harm the character and appearance of the area, unique blend of land and sea or sense of wilderness in the seascape that give the AONB its special qualities. The proposal would require a pump to evacuate rainwater, but there is no substantive evidence that it could not be sufficiently quiet or sited so as to avoid noise disturbance to the tranquil area. Full details of its specification, including times of operation, could be secured by planning condition....I, therefore, find that the proposal would not conflict with the aims of LP Policy 43. Nor would there be any conflict with the similar aims of LP Policy 44 relating to development around the coast....The development and effects of construction activities could lead to adverse impacts on the integrity of the Chichester Harbour Site of Special Scientific Interest (SSSI), which is also designated as the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar, and the Solent Maritime Special Area of Conservation (SAC) (collectively the European Sites). Appropriate assessment under the Conservation of Habitats and Species Regulations 2017 is, therefore, required. This I have undertaken on a proportionate basis, with regard to the Preliminary Ecological Assessment (PEA)¹, the Council’s own appropriate assessment, views of the Parish Council and other representations, and the various consultation responses received by the Council from Natural England.....Chichester Harbour is a large estuarine basin that is of particular significance for wintering wildfowl and waders and also breeding birds. The Chichester Harbour sites are designated for their support to a variety of species...Qualifying features of the Solent Maritime SAC include sandbanks and estuaries, mudflats, coastal lagoons, annual vegetation of drift lines, perennial vegetation of stony banks, and various associated species. The conservation objectives of the European Sites include ensuring that the integrity of the sites are maintained or restored as appropriate, that the sites contribute to achieving the aims of the Wild Birds Directive and favourable conservation status of their qualifying features....Although the character of the foreshore may have historically been wild, the Phase 1 Habitat Survey within the PEA indicates that around

**Appeal Decision: APPEAL ALLOWED -
Continued**

the proposed tunnel, the land is closely mown grassland with introduced shrub and scattered trees. With regard to the cumulative impacts of other development that may have gone on at and around the site, the Council and Natural England are satisfied that the site of the tunnel has not been vegetated shingle or intertidal habitat since at least 1991, which predates designation of the SAC and SPA. There is no clear evidence to suggest that Natural England's position may have been influenced by (rightly or wrongly) considering the land to be residential garden....Therefore, irrespective of the use of the land and even if the tunnel were considered to be within the European Sites designation, the proposal would not lead to any adverse effect as a consequence of direct loss of habitat, alone, or in combination with other development....With a CEMP in place, the proposal would not, in itself, lead to harm to the integrity of the European Sites. It would be an independent operation to anything else that may have gone on at and around the site or within the zone of influence of the European Sites. There is no substantive evidence that any use by unsupervised pets would increase and I have already found that human activity within European Sites would not increase as a consequence. As such, no in combination effects would result....*Other matters* ... a lack of need to does not render the development unacceptable. ... I understand that the emerging West Wittering Neighbourhood Plan includes a policy resisting the urbanisation and domestication of the foreshore. As I have found no harm to the character and appearance of the area, there would be no conflict with that policy. There has been some suggestion that the proposal would conflict with LP Policy 45 which restricts development in the countryside. However, as it would be well related to the existing dwellings, not prejudice agricultural operations and have minimal impact on the landscape and rural character, I find no such conflict....note the numerous concerns expressed about historic development and activity at the site, and those relating to the use of the land. Although it was necessary to take account of other activities in conducting my appropriate assessment, it is not otherwise my role in this appeal to assess these matters and my findings do not prejudice any future consideration of them....Whilst I have found that no harm would result in the case of the present proposal, this does not mean that other similar proposals would necessarily be acceptable. I, therefore, attach very little weight to the risk that some form of precedent could be established.

Costs Decision

“ The application for an award of costs is refused.... The Council's planning officer recommended that permission was granted. While the committee members took a different view, that in itself is not unreasonable behaviour. The Council's appeal statement explained the reasons for the decision and, whilst I have not agreed with that position, the reason for refusal has been substantiated.... I, therefore, find that unreasonable behaviour resulting in wasted expense in the appeal process has not been demonstrated. “

Reference/Procedure	Proposal
<p data-bbox="197 230 419 297"><u>19/00845/FUL</u> Birdham Parish</p> <p data-bbox="197 365 587 398">Case Officer: Daniel Power</p> <p data-bbox="197 461 552 495">Written Representation</p>	<p data-bbox="639 230 1473 297">Common Piece Main Road Birdham West Sussex - Use of land for the stationing of a static caravan.</p>
<p data-bbox="180 551 1489 1384">"... On two sides, the site abuts built form and the settlement boundary for Birdham, which is identified as a Service Village in the Chichester Local Plan: Key Policies 2014-2029 (LP). Therefore, the site is not isolated. However, outside settlement limits, LP Policies 2 and 45 seek to restrict development to that which requires a countryside location, meets an essential local rural need or supports rural diversification. I understand that the appellant's son is unable to afford his own property. However, in the absence of a demonstrable housing need generally, this is a personal circumstance to which I attribute limited weight. LP Policy 3 allows the formation of live/work units where commercial demand exists, but while the appellant's son works at the existing business housed at the site, commercial demand or how it would be satisfied by the proposal, has not been demonstrated. Therefore, the proposal is not permissible under Policy 3 and there is no clear essential local rural need. ... The overall aims of the development plan are to direct development to the most accessible locations and protect the countryside from all but essential development. Notwithstanding their blanket approach to the rural area and use of settlement limits, these aims of the development plan are broadly consistent with the overall aims of the Framework. ... I find that the proximity to Birdham, services and public transport connections, lack of harm to the character and appearance of the area and effective use of previously developed land results in compliance with the Framework. There are also benefits from the general delivery of housing. These are material considerations to which, given the small scale of development, I attribute only limited weight. ... As the development is outside the settlement boundary it conflicts with the Council's housing strategy and the development plan read as a whole. In the absence of any material considerations that indicate otherwise, I conclude that the appeal should be dismissed."</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><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><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>* <u>20/00128/FUL</u> 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>

Reference/Procedure	Proposal
<p data-bbox="196 230 435 300"><u>20/00887/DOM</u> Boxgrove Parish</p> <p data-bbox="196 365 571 398">Case Officer: Oliver Naish</p> <p data-bbox="196 459 512 492">Householder Appeal</p>	<p data-bbox="639 230 1433 300">Flintwalls The Street Boxgrove Chichester West Sussex PO18 0EE - Retrospective boundary fence.</p>
<p data-bbox="180 544 453 613">* <u>19/03008/FUL</u> Chichester Parish</p> <p data-bbox="196 678 563 712">Case Officer: Martin Mew</p> <p data-bbox="196 772 555 806">Written Representation</p>	<p data-bbox="639 544 1453 613">23 Lavant Road Chichester PO19 5RA - Erection of 5 no. flats and parking, landscaping and associated works.</p>
<p data-bbox="196 857 453 927"><u>20/00188/FUL</u> Chichester Parish</p> <p data-bbox="196 992 584 1025">Case Officer: William Price</p> <p data-bbox="196 1086 555 1120">Written Representation</p>	<p data-bbox="639 857 1465 1039">L A Fish 110 The Hornet Chichester West Sussex PO19 7JR - Change of use of residential accommodation above fish & chip shop from 1 no. habitable flat to 3 no. habitable flats, including extended first floor area partially implemented approval CC/08/00137/FUL.</p>
<p data-bbox="196 1171 453 1240"><u>20/00609/DOM</u> Chichester Parish</p> <p data-bbox="196 1305 584 1339">Case Officer: William Price</p> <p data-bbox="196 1400 555 1433">Written Representation</p>	<p data-bbox="639 1171 1417 1240">3 Franklin Place Chichester PO19 1BL - First floor rear extension and replacement conservatory.</p>
<p data-bbox="196 1485 453 1554"><u>20/00610/LBC</u> Chichester Parish</p> <p data-bbox="196 1619 584 1653">Case Officer: William Price</p> <p data-bbox="196 1713 555 1747">Written Representation</p>	<p data-bbox="639 1485 1417 1554">3 Franklin Place Chichester PO19 1BL - First floor rear extension and replacement conservatory.</p>

Reference/Procedure	Proposal
<p><u>20/00967/FUL</u> 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>
<p><u>20/00998/FUL</u> Earnley Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>113 Second Avenue Almodington Earnley PO20 7LF - Erection of 2 no. semi-detached 4 bedroom chalet bungalows - alternative to planning permission - E/18/00578/FUL for change of use to 2no. dwellings and external works.</p> <p>Linked to <u>20/01575/FUL</u></p>
<p><u>20/01575/FUL</u> Earnley Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>113 Second Avenue Almodington Earnley PO20 7LF - Erection of 2 no. semi-detached 3 bedroom bungalows - alternative to planning permission - E/18/00578/FUL for change of use to 2no. dwellings and external works, (resubmission 20/00998/FUL).</p> <p>Linked to <u>20/00998/FUL</u></p>
<p><u>17/00011/CONBC</u> Funtington Parish</p> <p>Case Officer: Tara Lang</p> <p>Informal Hearing 25/01/2021 10:00:00 Virtual Event</p>	<p>Land South Of The Stables Newells Lane West Ashling West Sussex - Appeal against Enforcement Notice FU/71</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>* <u>19/00445/FUL</u> Funtington Parish</p> <p>Case Officer: Martin Mew</p> <p>Written Representation</p>	<p>Land South East Of Tower View Nursery West Ashling Road Hambrook Funtington West Sussex - Relocation of 2 no. existing travelling show people plots plus provision of hard standing for the storage and maintenance of equipment and machinery, 6 no. new pitches for gypsies and travellers including retention of hard standing.</p>
<p><u>19/01400/FUL</u> Loxwood Parish</p> <p>Case Officer: William Price</p> <p>Written Representation</p>	<p>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><u>19/02903/FUL</u> Plaistow And Ifold Parish</p> <p>Case Officer: William Price</p> <p>Written Representation</p>	<p>Plot 1B Land At Sparrwood Farm Shillinglee Road Plaistow West Sussex - Erection of stable barn and (25m x 50m) manege including fencing, solar photovoltaic panels and muck heap.</p>
<p><u>20/00926/FUL</u> Plaistow And Ifold Parish</p> <p>Case Officer: Rebecca Perris</p> <p>Householder Appeal</p>	<p>Barton Farm The Forestry Road Plaistow RH14 0PA - Erection of replacement timber entrance gate.</p>
<p><u>19/00259/CONBC</u> Sidlesham Parish</p> <p>Case Officer: Emma Kierans</p> <p>Written Representation</p>	<p>Field South Of Green Lane Piggeries Ham Road Sidlesham West Sussex - Appeal against non-compliance with the conditions of the appeal decision - temporary occupancy</p>

Reference/Procedure	Proposal
<p data-bbox="196 230 451 297"><u>19/03043/FUL</u> Sidlesham Parish</p> <p data-bbox="196 365 478 432">Case Officer: Maria Tomlinson</p> <p data-bbox="196 454 555 499">Written Representation</p>	<p data-bbox="639 230 1487 409">Field South Of Green Lane Piggeries Ham Road Sidlesham West Sussex - Change of use of land as private gypsy and traveller caravan site (variation of condition 2 of planning permission SI/14/04058/COU (APP/L3815/W/3019459- to make the temporary permission permanent).</p>
<p data-bbox="196 566 451 633"><u>20/00046/PA3Q</u> Sidlesham Parish</p> <p data-bbox="196 701 584 734">Case Officer: William Price</p> <p data-bbox="196 790 555 835">Written Representation</p>	<p data-bbox="639 566 1487 678">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>
<p data-bbox="196 880 488 947"><u>19/02691/FUL</u> Southbourne Parish</p> <p data-bbox="196 1014 478 1081">Case Officer: Maria Tomlinson</p> <p data-bbox="196 1104 555 1149">Written Representation</p>	<p data-bbox="639 880 1487 1126">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>
<p data-bbox="196 1193 512 1261"><u>16/00251/CONBC</u> West Wittering Parish</p> <p data-bbox="196 1328 587 1361">Case Officer: Steven Pattie</p> <p data-bbox="196 1417 555 1462">Written Representation</p>	<p data-bbox="639 1193 1487 1350">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 1552 512 1619">* <u>19/01622/FUL</u> West Wittering Parish</p> <p data-bbox="196 1686 587 1720">Case Officer: Daniel Power</p> <p data-bbox="196 1776 555 1821">Written Representation</p>	<p data-bbox="639 1552 1487 1709">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>

Reference/Procedure	Proposal
<p><u>19/02136/FUL</u> West Wittering Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>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><u>13/00163/CONWST</u> Westbourne Parish</p> <p>Case Officer: Shona Archer</p> <p>Public Inquiry 27/04/2021 Chichester City Council North Street Chichester PO19 1LQ</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex - Appeal against WE/40, WE/41 and WE/42</p>
<p><u>19/00117/CONMHC</u> Westbourne Parish</p> <p>Case Officer: Steven Pattie</p> <p>Informal Hearing 25/11/2020 11:00:00 Virtual Event</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>Linked to <u>20/00237/FUL</u></p>
<p><u>20/00237/FUL</u> Westbourne Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearing 25/11/2020 11:00:00 Virtual Event</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>Linked to <u>19/00117/CONMHC</u></p>

Reference/Procedure	Proposal
<u>20/00366/FUL</u> Westbourne Parish Case Officer: Maria Tomlinson Written Representation	Woodmancote Meadow Woodmancote Lane Westbourne West Sussex PO10 8RF - Erection of a 1 no. 3 bedroom dwelling.

4. VARIATIONS TO SECTION 106 AGREEMENTS

CC/20/02106/OBG – Land West of Centurion Way and West of Old Broyle Road, Chichester, West Sussex, PO19 3PH

The S106 agreement pursuant to the outline planning permission for the West of Chichester SDL requires, amongst other things, the provision of various green infrastructure, including a Country Park to be located in the southern part of the site. The S106 requires this infrastructure to be provided prior to occupation of any dwelling 'or such alternative trigger point for delivery as may be agreed in writing between the Council and the Owner'.

The applicant has confirmed that due to delays and escalating costs resulting from the Covid 19 pandemic it is necessary to deliver the Country Park in a phased manner. The applicant's revised timetable involves the northern two thirds of the Park being delivered prior to occupation of any dwelling, with the remaining works to the park completed by the end of December 2021, at which point it is anticipated that no more than approximately 90 occupations would have taken place. Following consultation with the City Council., Natural England and the Council's own Environmental Strategy Section, no objections were received.

The proposal involves a minor delay to the provision of part of the development's supporting green infrastructure, and in the circumstances the proposed revisions to the delivery timetable are considered acceptable. Accordingly, the applicant was advised in writing on 27 October 2020 of the Council's agreement to the revised delivery timetable.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham Site, Birdham Road	Of Enforcement Notices	Injunction granted on 5 August. Deadline to vacate the land on 31 December 2020 and restore the site to agricultural use by 31 January 2021
Decoy Farm, Oving	Civil Claim to recover costs of direct action to clear the land. Claim settled for £17,000 due to the Council by way of Court Order	Payment in full and final settlement of the claim of £17,000 made by Mr Smith and Ms Smith via their solicitors due to sale of the land ongoing.

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage
FU/20/00288/CONENG Land west of Newells Lane West Ashling	Non-compliance with TSN/70	13.11.20 – Hearing at Brighton Magistrates Court. Adjournment requested by Defendant due to Covid. Court to notify of new date
FU/19/00231/CONBC 3 West Ashling Road Hambrook Funtington	Non-compliance with BCN FU/73	Listed for court at 10.00hrs 29.01.21 at Brighton Magistrates Court
FU/20/00299/CONENF Land south of The Stables Newells Lane West Ashling	Non-compliance with EN FU/70	Listed for court at 10.00hrs 29.01.21 at Brighton Magistrates Court

7. POLICY MATTERS