

Chichester District Council Planning Committee

Wednesday 5 May 2021

Report of the Director Of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters

between 10-03-2021 - 13-04-2021

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
20/02178/DOM	
Plaistow And Ifold Parish Case Officer: Beverley Stubbington Written Representation	Winkins Wood Farm Shillinglee Road Plaistow RH14 0PQ Extension and adaptation of northern wing including removal of conservatory and internal and external alterations.
20/03159/PA3Q	
Sidlesham Parish Case Officer: Maria Tomlinson Written Representation	Willowdene Nursery Fletchers Lane Sidlesham Chichester West Sussex PO20 7QG Class Q (a) application for Prior Approval - change of use from agriculture to 1 no. large dwellinghouse (C3 Use Class).

2. DECISIONS MADE

Reference/Procedure	Proposal
20/02002/DOM	
East Wittering And Bracklesham Parish Case Officer: Vicki Baker Householder Appeal	Hazard Cottage East Bracklesham Drive Bracklesham PO20 8JH Raise roof of garage for an additional bedroom (amendments to previous permission 15/03025/FUL).
Appeal Decision: APPEAL ALLOWED	
<p>“... The garage would continue to be subservient in scale to the main house and would be clad in similar materials. Changing the roof pitch to match that of the main house would, aesthetically, compare favourably to the current shallower roof form. I conclude that, while the altered garage would be more prominent in views along East Bracklesham Drive, that prominence would not appear harmful to the character or appearance of the area given the greater massing of newer development along the road, and that the garage would remain subservient in scale to the host dwelling. The increase in height and bulk when viewed from the enclosed yard and front parking area to Le Var would also not be so significant as to appear over dominant...”</p>	

Reference/Procedure	Proposal
20/01726/FUL	
<p>Funtington Parish Case Officer: Maria Tomlinson Written Representation</p>	<p>Stockers Farm Salthill Road Fishbourne PO19 3PY</p> <p>Replacement dwelling, detached car barn and associated works (alternative proposal to extant permission FU/19/02841/FUL).</p>
Appeal Decision: APPEAL ALLOWED	
<p>"... The Council raises no objection to the part of the proposal for a replacement dwelling, having granted planning permission for a replacement dwelling under FU/19/02841/FUL.....for this appeal The main issues are whether the car barn and associated works is justified in this location, and its effect on the character and appearance of the area. In considering the storage barn subject of FU/20/00878/FUL, the Inspector concluded that there was a justified need for another barn on the site as a replacement for that to be demolished.....to help maintain the grounds of Stockers Farm ... The proposed car barn would be located in the same position as the storage barn permitted under FU/20/00878/FUL.... I agree with the previous Inspector that in this case the location relates well to the existing barn to be retained... in my view the simple elevations clad with trapezoidal wall panels and timber sliding doors would not appear out of place alongside the retained barn or its countryside setting...Because of the size and degree of separation of the car barn from the dwelling, it is reasonable and necessary to impose a condition limiting its use for purposes incidental to the dwelling [and] a condition requiring the removal of the storage containers and external storage, other than where shown to be retained on the approved plans, is necessary in the interests of the appearance of the site and wider countryside. ..."</p>	

Reference/Procedure	Proposal
<u>20/01021/FUL</u>	
Sidlesham Parish Case Officer: Vicki Baker Written Representation	4 Cow Lane Sidlesham PO20 7LN Demolition of an existing agricultural storage building and the construction of 1 no. 3 bed 1.5 storey dwelling, ancillary to main dwelling.
Appeal Decision: APPEAL DISMISSED	
<p>... As the building would remain long after the personal circumstances of the appellant had changed, I place little weight in planning terms on the intention to use it as extended family accommodation. The proposed residential dwelling, whether occupied in conjunction with the existing dwelling or not, does not require a countryside location, would not meet an essential rural need and would not support rural diversification. It would also be located in a position with poor accessibility to local services and facilities. The provision of additional residential accommodation is a modest benefit..."</p>	

Reference/Procedure	Proposal
<u>19/01951/FUL</u>	
Oving Parish Case Officer: Jeremy Bushell Informal Hearing	Land At The Corner Of Oving Road And A27 Chichester PO20 2AG Erection of 143 dwellings, with associated access, parking, public open space, landscaping, extension to residential curtilages of existing properties along Oving Road and other associated works.
Withdrawn	

3. IN PROGRESS

Reference/Procedure	Proposal
<u>17/00356/CONMHC</u>	
Birdham Parish Case Officer: Shona Archer Informal Hearing 08-Jun-2021 EPH	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. Linked to <u>17/00361/CONMHC</u> and <u>17/00362/CONMHC</u>
<u>17/00361/CONMHC</u>	
Birdham Parish Case Officer: Shona Archer Informal Hearing 08-Jun-2021 EPH	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. Linked to <u>17/00356/CONMHC</u> and <u>17/00362/CONMHC</u>
<u>17/00362/CONMHC</u>	
Birdham Parish Case Officer: Shona Archer Informal Hearing 08-Jun-2021 EPH	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. Linked to <u>17/00356/CONMHC</u> and <u>17/00361/CONMHC</u>
<u>* 19/02579/FUL</u>	
Chichester Parish Case Officer: Martin Mew Written Representation	Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex Change use of land to travellers caravan site consisting of 4no. pitches each containing 1no. mobile home, 1no. touring caravan, 1no. utility dayroom; play area and associated works. Linked to <u>20/00380/CONTRV</u>
<u>20/00380/CONTRV</u>	
Chichester Parish Case Officer: Sue Payne Written Representation	Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex Appeal against creation of hardstandings and siting of mobile homes without planning permission. Linked to <u>* 19/02579/FUL</u>

Reference/Procedure	Proposal
* 20/00412/OUT	
<p>Chidham & Hambrook Parish</p> <p>Case Officer: Joanna Bell</p> <p>Informal Hearing</p>	<p>Land Off Broad Road Broad Road Hambrook PO18 8RF</p> <p>Outline Application for the construction of 35 no. affordable residential dwellings for first time buyers and those looking to rent their first home (Paragraph 71 entry-level exception site), with all matters reserved other than access.</p>
19/02493/OUT	
<p>Earnley Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Informal Hearing</p>	<p>Earnley Concourse Clappers Lane Earnley Chichester West Sussex PO20 7JN</p> <p>Outline planning application with all matters except Access reserved. Demolition of Earnley Concourse buildings, Elm Lodge, Gate Cottage and the Ranch House and replacement with residential development of up to 32 no. dwellings with associated access and footway works, landscaping, open space and drainage infrastructure</p>
20/01235/FUL	
<p>Earnley Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>111 Second Avenue Almodington Earnley PO20 7LF</p> <p>Erection of 1 no. dwelling - Alternative design to planning permission E/18/02530/FUL.</p>
* 19/00431/AGR	
<p>East Wittering And Bracklesham Parish</p> <p>Case Officer: Martin Mew</p> <p>Written Representation</p>	<p>Hundredsteddle Farm Hundredsteddle Lane Chichester West Sussex PO20 7BL</p> <p>Grain store and machinery store.</p>

Reference/Procedure	Proposal
<u>20/02001/FUL</u>	
East Wittering And Bracklesham Parish Case Officer: Vicki Baker Written Representation	Land South Of Tranjoeen Bracklesham Lane Bracklesham Bay West Sussex PO20 7JE New access to the highway.
<u>20/01980/FUL</u>	
Fishbourne Parish Case Officer: Calum Thomas Written Representation	Parking Area South Of Black Boy Court Main Road Fishbourne West Sussex Extension and change use of roofspace to habitable accommodation over carport to create single dwellinghouse.
<u>20/02303/FUL</u>	
Fishbourne Parish Case Officer: Jane Thatcher Written Representation	Land At Bethwines Farm And South Of Ivy Lodge Blackboy Lane Fishbourne West Sussex Construction of 35 no. affordable residential dwellings for first-time buyers with associated access, parking, landscaping and associated infrastructure.
<u>* 19/00445/FUL</u>	
Funtington Parish Case Officer: Martin Mew Written Representation	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.
<u>18/00323/CONHI</u>	
Funtington Parish Case Officer: Sue Payne Written Representation	West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ Appeal against HH/22

Reference/Procedure	Proposal
<u>19/01400/FUL</u>	
Loxwood Parish Case Officer: William Price Written Representation	Moore's Cottage Loxwood Road Alfold Bars Loxwood Billingshurst West Sussex RH14 0QS Erection of a detached dwelling following demolition of free-standing garage.
<u>19/02903/FUL</u>	
Plaistow And Ifold Parish Case Officer: William Price Written Representation	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.
<u>20/01448/FUL</u>	
Plaistow And Ifold Parish Case Officer: Dale Jones Written Representation	Land North Of Sparrwood Farm Dunsfold Road Plaistow West Sussex RH14 0QF Proposed agricultural barn.
<u>19/02999/FUL</u>	
Selsey Parish Case Officer: Martin Mew Written Representation	Hillfield House 4 Clayton Road Selsey Chichester West Sussex PO20 9DB Demolition of existing dwelling and the erection of 4 no. dwellings, 4 no. garage spaces and associated external works.
<u>* 20/01574/DOM</u>	
Selsey Parish Case Officer: Calum Thomas Householder Appeal	Park Cottage Park Road Selsey PO20 0PR Proposed single storey rear extension. Retrospective permission for outbuilding to provide ancillary accommodation and Jacuzzi shelter.

Reference/Procedure	Proposal
<u>20/02466/PLD</u>	
Selsey Parish Case Officer: Maria Tomlinson Written Representation	Ashbourne Residential Home Byways Selsey Chichester West Sussex PO20 0HY Use as a single dwelling within Use Class C3.
<u>19/00259/CONBC</u>	
Sidlesham Parish Case Officer: Emma Kierans Informal Hearings 07-Sep-2021 EPH	Field South Of Green Lane Piggeries Ham Road Sidlesham West Sussex Appeal against non-compliance with the conditions of the appeal decision - temporary occupancy
<u>20/00032/FUL</u>	
Southbourne Parish Case Officer: Joanna Bell Written Representation	Gosden Green Nursery 112 Main Road Southbourne PO10 8AY Demolition of existing B8 and B1 buildings and erection of replacement buildings for a mix of B8 and B1 uses, with access, parking and landscaping.
<u>20/01053/FUL</u>	
Southbourne Parish Case Officer: Calum Thomas Written Representation	Mountain Ash 106 Main Road Southbourne PO10 8AY Erection of 1 no chalet bungalow.
<u>20/02077/FUL</u>	
Southbourne Parish Case Officer: Maria Tomlinson Written Representation	Marina Farm Thorney Road Southbourne Emsworth Hampshire PO10 8BZ Redevelopment of previously developed land. Removal of existing 5 no. buildings. Proposed 1 no. dwelling.

Reference/Procedure	Proposal
<u>19/02136/FUL</u>	
West Wittering Parish Case Officer: Maria Tomlinson Written Representation	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.
<u>20/01200/FUL</u>	
West Wittering Parish Case Officer: Maria Tomlinson Written Representation	Seahaven West Strand West Wittering PO20 8AU Demolition of existing dwelling and construction of replacement dwelling.
<u>16/00251/CONBC</u>	
West Wittering Parish Case Officer: Steven Pattie Written Representation	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.
<u>19/01985/FUL</u>	
Westbourne Parish Case Officer: Calum Thomas Informal Hearings VIRTUAL	The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP Change of use of land to allow for the extension of an existing Gypsy/Traveller site comprising of an additional four mobile homes, four touring caravans and one dayroom.
<u>19/03206/FUL</u>	
Westbourne Parish Case Officer: Jane Thatcher Written Representation	Unit 2, Ten Acres Cemetery Lane Woodmancote Westbourne PO10 8RZ Change of use of site for B8 storage of privately owned and commercial vehicles, with ancillary offices and stores. (retrospective).

Reference/Procedure	Proposal
<u>13/00163/CONWST</u>	
<p>Westbourne Parish</p> <p>Case Officer: Shona Archer</p> <p>Public Enquiry 14-17 & 21-22Sep-2021 Chichester Harbour Hotel</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex</p> <p>Appeal against WE/40, WE/41 and WE/42</p>
<u>19/00217/CONCOU</u>	
<p>Westbourne Parish</p> <p>Case Officer: Steven Pattie</p> <p>Informal Hearing</p>	<p>4 The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP</p> <p>Appeal against Enforcement Notice WE/49</p>
<u>20/02824/OUT</u>	
<p>Westhampnett Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Public Enquiry 03-Aug-2021 VIRTUAL</p>	<p>Land Within The Westhampnett / North East Chichester Strategic Development Location (north Of Madgwick Lane) Chichester</p> <p>Outline Application with all matters reserved except for access for the residential development comprising up-to 165 dwellings, including an element of affordable housing; together with an access from Madgwick Lane as well as a relocated agricultural access, also from Madgwick Lane; Green Infrastructure, including the enhancement of the Lavant Valley Linear Greenspace; sustainable drainage systems; and associated infrastructure.</p>

4. VARIATIONS TO SECTION 106 AGREEMENTS

None

5. CALLED-IN APPLICATIONS

None

6. COURT AND OTHER MATTERS

Injunctions		
Site	Matter	Stage
Land West of Birdham Farm, Birdham Road	Of 4 Enforcement Notices	<p>Injunction granted by the High Court on 10/8/20 to: A) stop occupation of the land for residential use; B) remove all caravans; C) do not carry out any development without prior permission of the Council; D) clear & restore the land to its agricultural use. Deadlines in the above Injunction extended by Order of 7/1/21 because of Covid lockdown to 31/3/21 for A) & B) above and to 30/4/21 for D) above.</p> <p>Update: The Defendants' Legal Representative proposed an extension to the above deadlines due to the continuing Covid Lockdown. This has been agreed in principle to 30 June and 31 July respectively, however they have not made the application to the court. The Council will take a view after the 30 April deadline expires as to our next steps (breach of court order) if they do not make an application to extend before then.</p>

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage
Land South of The Stables, Hambrook	Of Enforcement Notice	Original First hearing adjourned by the court due to Covid restrictions to 30/7/21 at Brighton Magistrates' Court. All papers served on the Defendant.
West Ashling Road, West Ashling	Of Condition Notice	Original First hearing adjourned by the court due to Covid restrictions to 30/7/21 at Brighton Magistrates' Court. All papers served on the Defendant.
Land West of Newells Lane, West Ashling	Of Temporary Stop Notice	Original First hearing adjourned by the court due to Covid restrictions to 17/6/21 at Crawley Magistrates' Court. All papers served on the Defendant.

7. POLICY MATTERS

None