

# Chichester District Council Planning Committee

Wednesday 03 November 2021

## Report of the Director Of Planning and Environment Services

### Schedule of Planning Appeals, Court and Policy Matters

between 20-09-2021 - 13-10-2021

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
<a href="#"><u>20/02675/OUTEIA</u></a>	
<b>Lavant Parish</b>  <b>Case Officer: Jane Thatcher</b> <b>Public Inquiry</b>	Field South Of Raughmere Drive Lavant West Sussex  Outline Application with all matters reserved (except for access) for the development of 140 dwellings, public open space, landscaping, parking and associated works.
<a href="#"><u>20/02541/FUL</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Martin Mew</b> <b>Written Representation</b>	Annabel Barns Chalk Lane Sidlesham PO20 7LW  Single storey extension to existing office and storage building, including installation of solar photovoltaic panels and 3 no. additional parking spaces.

## 2. DECISIONS MADE

Reference/Procedure	Proposal
<a href="#">21/00502/DOM</a>	
<b>East Wittering And Bracklesham Parish</b>  <b>Case Officer: Alicia Snook</b> <b>Householder Appeal</b>	2 Kestrel Close East Wittering PO20 8PQ  To extend the height of the boundary fence to the road side of the bungalow from 1 metre high to 2 metres.
<b>Appeal Decision: APPEAL DISMISSED</b>	
<p>" The development in the immediate area has an open plan layout that is mainly characterised by detached and semi detached bungalows of similar styles and 2 storey terraced dwellings that are set back from the roads and footpaths in mainly open front and side gardens. The openness and greenery in most front and side gardens adjoining the public highway contribute positively to the sense of place. By contrast, due to its form, siting, height, scale, and detailed design, the proposed fence would be a harmfully dominant and intrusive feature that would unacceptably erode the important verdant openness in the Cormorant Way street scene, to the significant detriment of the character and appearance of the locality. ... It would be contrary to Policy 33 of the Chichester Local Plan: Key Policies 2014-2029 I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict."</p>	

Reference/Procedure	Proposal
<a href="#">20/02303/FUL</a>	
<b>Fishbourne Parish</b>  <b>Case Officer: Jane Thatcher</b>  <b>Written Representation</b>	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.
<b>Appeal Decision: APPEAL DISMISSED</b>	
<p>“...The appeal is dismissed. ... The appellant indicated it intended to submit a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to deal with various matters. However, none was submitted within the timeframe set. ... The proposal is being promoted as an "Entry Level Exception" (ELEX) site pursuant to paragraph 72 of the Framework. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires this determination to be made in accordance with the development plan unless other material considerations indicate otherwise. ... The main issues are: - the effect on the character and appearance of the area; Appeal Decision APP/L3815/W/20/3266072 <a href="https://www.gov.uk/planning-inspectorate-2">https://www.gov.uk/planning-inspectorate-2</a>- the effect on the living conditions of the proposed occupiers, in terms of outdoor amenity space, privacy and noise;- whether the proposal makes adequate provision for foul and surface water disposal;- whether the proposal would utilise sustainable construction methods in line with development plan policy;- the effect on habitats sites;- whether the proposal makes adequate provision for affordable housing and necessary infrastructure; and- whether there are any other material considerations, including the nature of the proposals and its benefits, the housing land supply position and the current status of the development plan, that mean the proposal should be determined otherwise than in accordance with the terms of the development plan. ... The site lies in the countryside and the proposal does not require a countryside location. In proposing 35 dwellings, in my view, this does not constitute a small scale development and, in any event, is outside the settlement boundary and is clearly contrary to these two policies. The principle of the development does not comply with the development plan. ... The residential development of the appeal site will have a significant urbanising effect on this section of countryside. It would fail to recognise the intrinsic character of this area as required in paragraph 174 of the Framework. From a wide arc from the south, it would significantly and demonstrably intrude into this landscape. However, from the northwest on Clay Lane from just south of where it crosses the A27, this would not be significant in that it would effectively infill a small visual gap between the farm buildings and existing development. Due to the size of and the extensive area between Fishbourne and Bosham this would not result in coalescence in any meaningful way and the individual identity of Fishbourne would remain. Due to the distance to and scale of the development I am satisfied that the proposal would preserve the setting of both the SDNP and Chichester Harbour Area of Outstanding Natural Beauty. ... Turning to the layout, while the proposal keeps to two storeys it would not, overall, integrate well with the existing pattern and layout of development in the area. Rather than gaps between individual groups of dwellings, whether semi-detached or terraced, creating a sense of space, there would be a continuous form of development, particularly along the longer east/west road. This would be emphasised by the continuous brick materials, which would not reflect the</p>	

**Appeal Decision: APPEAL ALLOWED -  
continued**

identity of local surroundings and the interest that exists in Blackboy Lane with the contrast between the brick and light coloured render. ... Looking at the development facing Blackboy Lane, while this would reflect this pattern of development opposite, the extensive area of parking would be incongruous and harmful to the street scene. Further the proximity of the parking and the ditch, which is often wet, along with the linear nature of the open space, while providing sufficient space in quantitative terms, would not provide a high quality and useable open space for the proposed occupiers. The provision of landscaping or fencing along this boundary would be both out of keeping with the existing area and would further reduce the useable area of the open space. The provision of street trees along the internal roads would not be sufficient to mitigate these deficiencies. ... Overall, therefore, the proposal would be significantly and demonstrably harmful to the character and appearance of the area. It would not provide a high quality of design reflecting the identity of the surroundings and would not provide a usable, high quality development. As such it would be contrary to Policies 2, 33, 45, 48 and 54 of the CLP and Policy D 1 of the FNP. It would also be contrary to paragraph 130 of the Framework which indicates that developments should be visually attractive and sympathetic to local character. Further paragraph 134 of the Framework states that development that is not well designed should be refused. ... As pointed out by the Council the central dwellings backing on to the flatted element to north and south have gardens in the order of 5 m to 6 m in depth. While some of the gardens are wider including the area behind the garages this would lead to a cramped form of development with there being a harmful overbearing effect from the property to the rear. Further, rear gardens of the properties on the southern part of the site are approximately 7 m in depth, which would be insufficient to give a high standard of amenity. ... There would also be harmful levels of overlooking from the rear elevations of the flats to the west of the entrance road towards the properties at the western end of the development and their gardens. This would also apply from the properties in the western portion into the gardens of the three bedroom property on the northwestern side of the junction of the "T". ... The proposal would not give rise to a high standard of amenity for the occupiers of the proposed dwellings in terms of lack of amenity space and privacy and would result in overbearing effects. ... Nominally the appeal site is within the catchment of the Apuldram Wastewater Treatment Works (WwTW). However, due to the effect on habitats sites discussed below there are issues with draining additional sites to this Works. ... To respond to this issue the appellant is proposing a PTP in the southwestern corner of the appeal site which would mean that the development would not need to rely on a WwTW for foul water drainage. ... The EA objects to this arrangement in principle. It refers to Reference ID: 34-020-20140306 of the Planning Practice Guidance (the PPG) which states: "When drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies)". I concur that this would be the optimum solution since it minimises risks. ... The appellant indicates that to connect to the new pipeline a new pumping station, approximately 2.3km of rising main and a crossing of the A27 would be required. This would, so the appellant asserts, make it not practical or, without providing costings, be viable. ... While the Position Statement makes a differentiation between those sites within and outside the settlement boundary of Fishbourne I consider that requiring a proposal of this scale in proximity to the settlement boundary to connect to the new sewer is a false choice and avoids considering practical solutions which may be available. The alternative of connecting

**Appeal Decision: APPEAL ALLOWED -  
continued**

to an existing sewer that connects to the Apuldram WwTW and providing off-setting of the types set out for sites within the settlement boundary would be a practical solution. This has not been explored by the appellant. ...I therefore conclude that the appellant has not demonstrated that there are no other practical and viable solutions which would allow connection to a public sewer, and therefore the proposal would be contrary to the provisions of the PPG. This I find a substantial failing and I give this substantial weight against the proposal. ... The drainage layout for that earlier scheme was submitted as part of this application and there is no detail as to where the PTP in the current proposal would discharge. As a full application where this is clearly a main issue at least an outline of the arrangements should be shown. ...The information in the Drainage Strategy Report indicates that the voids would only just be sufficient for the maximum requirement at 580 m<sup>3</sup>. This would indicate that outflows from the PTP should not be to this surface water drainage system as this would otherwise lead to the risk that it would have insufficient capacity in the appropriate worst case. ... In order not to add to the risk of non-foul water flooding off-site the site should drain at greenfield rates. Given the size of the site at just less than 1 ha this would be 2 l/s. In light of my conclusions in the above paragraph, any output from the PTP site would need to drain to the ditch or elsewhere; the ditch would be the most practical solution. However, as the hydro brake for the surface water system discharge is shown to be set at 2 l/s to ensure function any output from the PTP would be in addition to this. The peak 'clean' foul flow rate is shown in the submitted Drainage Strategy Report at 1.48 l/s. Consequently, the overall (surface and 'clean' foul together) discharge would therefore be above greenfield rates. It has therefore not been shown that the proposals would not add to the risk of non-foul water flooding off-site. ... It has therefore not been shown that the proposal would be able to be adequately drained. ... The appellant submitted a Sustainability Statement with the application. This noted a 1.2% reduction in CO<sub>2</sub> emissions in relation to the Building Regulations but rejected renewable energy proposals for various reasons set out in the Statement. ... It seems to me that, given the evidence of the Council that considerably greater reductions in CO<sub>2</sub> emissions through construction techniques and renewables have been achieved elsewhere, the 1.2% saving proposed here seems very low, particularly in the context of the Council's Interim Position Statement for Housing development (see below) which requires a 19% improvement. The use of smart meters and relying on occupiers to monitor them to ensure energy reductions seems to be a passive response. Certainly, it has not been demonstrated that there are any abnormal factors that affect enhanced delivery. For example, the use of air source heat pumps has been rejected in aesthetic and noise terms, but no evidence has been submitted to show why this would be unacceptable or design techniques could not be used to mitigate any such effects. ... However, I am satisfied that other criteria set out in the policy relating to sustainable drainage systems, the shading of pedestrian routes and electric vehicle charging could be delivered by condition. ... Notwithstanding this, it has not been demonstrated that appropriate sustainable design and construction techniques have been appropriately considered. ... The appeal site lies within 5.6km of the Chichester and Langstone Harbour Water Special Protection Area (SPA). It is also in proximity to a number of other habitat sites set out in the officer report which the proposal may affect. ... As I am going to dismiss this appeal for other reasons, it is not necessary for me to undertake an appropriate assessment. ... Without an agreed water environment solution, I cannot be certain, utilising the relevant level of scientific rigor, that the proposal would not have such an effect. For the reasons set out above, I have not been able to conclude that the foul

**Appeal Decision: APPEAL ALLOWED -  
continued**

water solution is acceptable and from that it must be the case that the proposed water environment solution is also not acceptable. ... Even if I had been to conclude the PTP proposed was acceptable for draining the site, I still would not have been able to find that this would not give rise to an increase in nutrient load. As Natural England noted in its consultation response the SBR-N does not use the latest (June 2020) guidance in calculating Total Nitrogen load. In addition, a PTP has a greater risk of failure when compared with a public sewage treatment works (hence the PPG guidance quoted above), and I do not believe that the use of a planning condition would be appropriate to ensure the proper level of monitoring and maintenance as it would not be reasonable. ... Taking the above together, I cannot therefore be satisfied that the proposed development would not have an adverse effect on the integrity of the relevant habitat sites. ... As there is no completed Planning Obligation in front of me, I can only conclude that the proposal does not make adequate provision for a financial contribution towards A27 Local Plan mitigation works in line with the Council's Supplementary Planning Document 'Approach for securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass' or for the provision, management and maintenance of Public Open Space on site. ... As set out towards the top of this decision, the proposal is as an ELEX. However, the Council disputes whether it would meet the relevant policy. Further the Council accepts that it cannot demonstrate a five- year supply of land for housing and thus it is necessary to determine whether the presumption in favour of sustainable development set out in paragraph 11 d) of the Framework applies. ... An ELEX site is for a type of affordable housing. There is a dispute between the parties as to how this should be considered particularly in the light of development plan policies. There is, of course, no Planning Obligation in front of me which would be required to ensure that the dwellings are maintained under this regime in perpetuity. ... This site is less than 1 ha and the 35 dwellings is less than 5% of the size of Fishbourne. With the exception of the effect on habitat sites, the proposal would not adversely affect any of the areas or assets set out in footnote 7. ... There are no policies in the CLP which refer to ELEX sites. This is not surprising as this national policy post- dates the adoption of the CLP in 2015. The Council considers that it should comply with the relevant policy for Rural Exception Sites (Policy 35 of the CLP), but in my view a proposal for a Rural Exception Site and ELEX schemes are completely separate. ... Firstly, they are dealt with in different paragraphs of the Framework, with rural exceptions dealt with in paragraph 78. A Rural Exception site is defined in the Glossary to the Framework as a "small site" and for the "local community". Had they been the same thing there would be an expectation that they would have been cross-referenced in the Framework. Further, there is no definition in the Framework of what is a "small site". However, the Framework does define "Major development"<sup>1</sup> as being for 10 or more dwellings or on a site of 0.5 ha or more. It seems to me that for these purposes a proposal cannot be both a "major development" and a "small site". ... Secondly, the ELEX is to meet needs within the authority's area. This is different from local need which is normally identified by a parish needs survey. That a parish needs survey has not been done is therefore not material in determining whether a proposal meets the criteria as an ELEX scheme, nor is whether there is a need within this Fishbourne parish, and it should relate to need for the whole of the local planning authority area. ... the Council has commissioned 'The Chichester Housing and Economic Development Needs Assessment' (the HEDNA). The latest version dates from 2020 and, while it has not been tested, is the most up-to-date analysis available and is based on housing need based on national methodologies. I therefore give it significant weight. The HEDNA has identified a need for 348 social/affordable rented dwellings per annum between

**Appeal Decision: APPEAL ALLOWED -  
continued**

2019 and 2036 and 130 dwellings per annum for affordable home ownership for the same period. The Council therefore considers that affordable housing should predominantly be for rental rather than purchase. However, provided that the identified need for affordable home ownership is not met across the whole of the authority's area then I can see no reason why a proposal for first time buyers alone could not meet the criteria for a ELEX scheme. ... The Council's Statement of Case indicates that there will be some 381 affordable home ownership units to be delivered between 2021 and 2025, with an additional 117 at Tangmere, 27 at Highgrove Farm and 26 at Westhampnett, along with additional units at major and windfall sites to be provided. These four figures total 551, which represents approximately 110 dwellings per annum. It seems to me that, as with five year land supply, it is for the Council to show that a need is met. Relying on windfalls and other, nonidentified, major sites is not sufficient. It therefore would appear that the need for affordable home ownership has not been met in the authority's area and consequently the proposal would meet this criterion as an ELEX scheme. ... Local residents have expressed concern about the proportion of three-bedroom properties making the assertion that these would not be suitable for first time buyers/renters. However, it seems to me that because an occupier may be a slightly larger household does not mean that it would not meet that the relevant criteria for occupation. In addition, the Council has not indicated that this size of property is not needed in the authority's area. ... I conclude that the proposal would not represent an ELEX scheme, but this is only because the dwellings have not been secured as such, it has not been shown that the proposal would not have an adverse effect on habitats sites and would not comply with local design policies rather than any other matter. ... The Council has confirmed that the CLP is more than five years post-adoption and is not based on the standard method for assessing local housing need. It has also confirmed it is unable to demonstrate a five year supply of housing land. In light of this the Council accepts its housing policies are out-of-date. ... While the local plan is reviewed the Council has adopted an 'Interim Position Statement for Housing development' (the IPS). While I have concluded that the proposal would not meet the criteria as an ELEX scheme, for completeness I have considered whether the proposal meets the criteria in the IPS. ... For the reasons already set out, the proposal would not be good quality through the design deficiencies and would also not meet the criteria relating to flooding and nitrate neutrality. ... Footnote 7 sets out the relevant areas and assets and these include irreplaceable habitats which will include the habitats sites referred to above. Furthermore, paragraph 182 of the Framework indicates the presumption in favour of sustainable development does not apply where the project is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. ... For the reasons set out above that would not be the case and, consequently, the provisions of paragraph 11 d), the so called 'tilted balance', will not apply. This does not mean, however, that the lack of a five year supply of housing land is not, of itself, a material consideration which would apply in favour of the proposal. ... I am satisfied that the proposed development locally would not have an unacceptable effect on highway or public safety nor would the residual cumulative effects on the road network be severe. ... Local residents are also concerned that the layout makes provision for access through the appeal site to land to the northwest. This may be the case, but any future proposals for any further land outside the appeal site would have to be considered in the light of circumstances pertaining at that time. However, it does seem to me that this arrangement would mean that there would not be a well landscaped boundary in

**Appeal Decision: APPEAL ALLOWED -  
continued**

this location and this can only add to my conclusion that the proposal is not well designed. ... "The site is located in the countryside and does not represent a development of a type permitted in such a location in the development plan. The proposal has not been well designed so that it would be out of keeping with the character and appearance of the area and would lead to poor living conditions for some of the occupiers. It would not deliver sustainable design and construction techniques. It would not be satisfactorily drained, it has not been shown that the proposed development would not have an adverse effect on the integrity of habitats sites and does not provide for affordable housing however considered. The matters relating to infrastructure set out above are necessary to meet development plan policies and the needs of the development. Therefore, the failure to secure these matters adds to the harms. Furthermore, the lack of a Planning Obligation means the proposal is not secured as an ELEX scheme. All of these matters lead me to conclude that the proposal would not comply with the terms of the development plan when taken as a whole. Notwithstanding the lack of a five year supply of land for housing, and the support from the Framework for ELEX schemes, these do not represent material considerations either individually or cumulatively to outweigh the presumption in favour of determining the application in accordance with the development plan. In any event Regulation 63(5) of the Habitats Regulations means that I would be prevented from granting planning permission in respect of the effect on habitats sites. For the avoidance of doubt, even if I had concluded that the tilted balance was to apply on the basis that the drainage solution had been delivered which would have allowed me to conclude that the proposal would not have an adverse effect on the integrity of the habitats site, the harms I have identified, particularly through the poor design and lack of secured affordable housing and necessary infrastructure, would have been sufficient individually to conclude that the proposal would not have been acceptable as this would have led to significant and demonstrable harm which would have outweighed the benefits of the scheme when assessed against the policies of the Framework taken as a whole. For the reasons given above I conclude that the appeal would be contrary to the development plan taken as a whole. As there are insufficient material considerations to indicate a decision contrary to the development plan, the appeal should be dismissed..."

Reference/Procedure	Proposal
<a href="#"><u>20/02832/FUL</u></a>	
<b>Plaistow And Ifold Parish</b> <b>Case Officer: Fjola Stevens</b> <b>Written Representation</b>	Three Oaks Farm The LanefoldLoxwoodRH14 0UH Demolition of existing dwelling, replaced with 1 no. single storey dwelling with associated landscaping and driveway.
<b>Appeal Decision: APPEAL WITHDRAWN</b>	
Withdrawn - see letter dated 04.10.21 from The Planning Inspectorate.	

Reference/Procedure	Proposal
<a href="#">21/00207/DOM</a>	
<p><b>Selsey Parish</b></p> <p><b>Case Officer: Alicia Snook</b></p> <p><b>Householder Appeal</b></p>	<p>The Coach House 2 Manor Road Selsey PO20 0SD</p> <p>Replacement roof to existing outbuildings (retrospective).</p>
<b>Appeal Decision: APPEAL ALLOWED</b>	
<p>"... The appeal is allowed, and planning permission is granted for replacement of roof to existing outbuildings at The Coach House, 2 Manor Road, Selsey PO20 0SD in accordance with the terms of the application, Ref SY/21/00207/DOM, dated 25 January 2021, and the plans submitted with it. ....The site includes the dwelling at The Coach House and outbuildings in its grounds at the back, and it is largely enclosed by tall boundary treatment. ....Due to its scale and siting, little of the development can be glimpsed in narrow views from Manor Road and Gainsborough Drive. ... the upper part of its south west facing gable end can be seen from East Street above the boundary treatment at the back of the public house's garden and car park in the gap between the buildings at The Fisherman's Joy Public House and 77 East Street..... However, the development is outside the Conservation Area, and the utilitarian character of the low profile sheet finished development respects the character of the similarly deep profile sheet roofed steelworks building beyond it. As the present roof is likely to look better and last longer than the previous roof, the restricted views of the development from some upper floor windows in nearby buildings within the Conservation Area should be enhanced. The development's eaves can barely be seen, and as their proportions are consistent with its scale and form, they are acceptable. .... However, as its form and detailed design are simpler, overall, the development has a neutral effect on the settings of the heritage assets. Thus, I consider that the development does not harm the setting of the Conservation Area, and that the development preserves the settings of the listed buildings at The Fisherman's Joy Public House and 77 East Street..... The appellant has confirmed that the development is entirely for personal use as a swimming pool and recreational area, and the development's use was not a concern of the Council in its reason for refusal. I see no reason to disagree. I have found that the development satisfies the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not indicate a determination otherwise."</p>	

Reference/Procedure	Proposal
<a href="#">21/00218/DOM</a>	
<p><b>Selsey Parish</b></p> <p><b>Case Officer: Alicia Snook</b></p> <p><b>Householder Appeal</b></p>	<p>8 Beach Road Selsey PO20 0LU</p> <p>Front two storey extension with pitched roof.</p>
<b>Appeal Decision: APPEAL ALLOWED</b>	
<p>" ... there are gabled 2 storey front extensions at 22, 28, 36 and 38 on the same side of Beach Road, and at 47, 51 and 53 on the opposite side. Because all the similar dwellings are set well back from the road, and due to their generally modest depth and compact form, it makes little difference to the important spaciousness in the Beach Road street scene whether the dwellings have a single storey or 2 storey front extension or no extension at all.... So, due to its scale, form, siting, and detailed design, the gabled front extension would respect the character and appearance of the existing dwelling, and it would be sympathetic to the street scene in Beach Road. Moreover, the front extension would sustain the important spaciousness in the Beach Road street scene that contributes positively to the sense of place. I consider that the proposed development would not harm the street scene in Beach Road..."</p>	

### 3. IN PROGRESS

Reference/Procedure	Proposal
<a href="#"><u>17/00361/CONMHC</u></a>	
<b>Birdham Parish</b>  <b>Case Officer: Shona Archer</b> <b>Informal Hearing</b> <b>08.02.22 at EPH</b>	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.
<a href="#"><u>17/00356/CONMHC</u></a>	
<b>Birdham Parish</b>  <b>Case Officer: Shona Archer</b> <b>Informal Hearing</b> <b>08.02.22 at EPH</b>	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.
<a href="#"><u>17/00362/CONMHC</u></a>	
<b>Birdham Parish</b>  <b>Case Officer: Shona Archer</b> <b>Informal Hearing</b> <b>08.02.22 at EPH</b>	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.
<a href="#"><u>* 19/02579/FUL</u></a>	
<b>Chichester Parish</b>  <b>Case Officer: Martin Mew</b> <b>Informal Hearing</b> <b>22-Feb-2022</b> <b>EPH</b>	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.
<a href="#"><u>20/02009/FUL</u></a>	
<b>Chichester Parish</b>  <b>Case Officer: Martin Mew</b> <b>Informal Hearing</b>	Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex  Change use of land to travellers caravan site consisting of 3 no. pitches each containing 1 no. mobile home, 1 no. touring caravan, 1 no. utility dayroom; play area and associated works (Resubmission of CC/19/02579/FUL).

Reference/Procedure	Proposal
<a href="#"><u>20/00380/CONTRV</u></a>	
<p><b>Chichester Parish</b></p> <p><b>Case Officer: Sue Payne</b></p> <p><b>Informal Hearing</b> <b>22-Feb-2022</b> <b>EPH</b></p>	<p>Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex</p> <p>Appeal against creation of hardstandings and siting of mobile homes without planning permission.</p>
<a href="#"><u>* 20/00412/OUT</u></a>	
<p><b>Chidham &amp; Hambrook Parish</b></p> <p><b>Case Officer: Andrew Robbins</b></p> <p><b>Informal Hearing</b> <b>23-Nov-2021</b> <b>Chichester Harbour Hotel</b></p>	<p>Land Off Broad Road Broad RoadHambrookPO18 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>
<a href="#"><u>* 20/01826/FUL</u></a>	
<p><b>Chidham &amp; Hambrook Parish</b></p> <p><b>Case Officer: Andrew Robbins</b></p> <p><b>Public Inquiry</b></p>	<p>Land Adjoining A27Scant Road West Hambrook Chidham West Sussex PO18 8UA</p> <p>Mixed use development comprising 118 dwellings (including 36 affordable dwellings), public open space, landscaping and associated works and a retail convenience store with community space above all accessed via Broad Road.</p>
<a href="#"><u>20/03378/OUT</u></a>	
<p><b>Chidham &amp; Hambrook Parish</b></p> <p><b>Case Officer: Andrew Robbins</b></p> <p><b>Informal Hearing</b> <b>15-Feb-2022</b> <b>Chichester Harbour Hotel</b></p>	<p>Land At Flat Farm Hambrook West Sussex PO18 8FT</p> <p>Outline Planning Permission With Some Matters Reserved (Access) - Erection of 30 dwellings comprising 21 market and 9 affordable homes, access and associated works including the provision of swales.</p>

Reference/Procedure	Proposal
<a href="#"><u>21/00440/DOM</u></a>	
<p><b>Donnington Parish</b></p> <p><b>Case Officer: Martin Mew</b></p> <p><b>Householder Appeal</b></p>	<p>50 Belgrave Crescent Donnington PO19 8SB</p> <p>Single storey rear extension and change of use of loft into habitable accommodation, including dormer windows to sides. Variation of condition 3 from planning permission D/20/01904/DOM - remove the restriction on the dormer bedroom windows being obscure glazed and non-opening below 1.7m from the finished floor level of the rooms in which they serve.</p>
<a href="#"><u>19/02493/OUT</u></a>	
<p><b>Earnley Parish</b></p> <p><b>Case Officer: Andrew Robbins</b></p> <p><b>Informal Hearing</b></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>
<a href="#"><u>20/01235/FUL</u></a>	
<p><b>Earnley Parish</b></p> <p><b>Case Officer: Maria Tomlinson</b></p> <p><b>Written Representation</b></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>
<a href="#"><u>20/02714/DOM</u></a>	
<p><b>East Wittering And Bracklesham Parish</b></p> <p><b>Case Officer: Maria Tomlinson</b></p> <p><b>Householder Appeal</b></p>	<p>Sea Shanty Charlmead East Wittering PO20 8DN</p> <p>Insertion of 2 no. dormer windows.</p>
<a href="#"><u>21/01237/DOM</u></a>	
<p><b>East Wittering And Bracklesham Parish</b></p> <p><b>Case Officer: Maria Tomlinson</b></p> <p><b>Householder Appeal</b></p>	<p>19 Seafield Close East Wittering PO20 8DP</p> <p>Demolition of rear conservatory for a rear two-storey pitched roof and single-storey flat roof extensions.</p>

Reference/Procedure	Proposal
<a href="#"><u>21/00785/DOM</u></a>	
<b>Fishbourne Parish</b>  <b>Case Officer: Alicia Snook</b> <b>Householder Appeal</b>	Estoril Main Road Fishbourne PO18  8AN New vehicle access and garage.
<a href="#"><u>* 19/00445/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Martin Mew</b> <b>Written Representation</b>	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.
<a href="#"><u>19/02939/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Written Representation</b>	Old Allotment Site Newells Lane West Ashling West Sussex  Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding.
<a href="#"><u>20/00234/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b>  <b>Informal Hearing</b>	Land West Of Newells Lane West Ashling PO18 8DD  Change of use of land for the stationing of 4 no. static caravans and 4 no. touring caravans for a Gypsy Traveller site, including parking, hard standing and associated infrastructure.
<a href="#"><u>20/00534/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b>  <b>Informal Hearing</b>	Land South Of The Stables Scant Road East Hambrook Funtington West Sussex  Change of use of land to use as a residential caravan site for 2 no. gypsy families and construction of 2 no. ancillary amenity buildings, including the laying of hardstanding, erection of boundary wall.

<b>Reference/Procedure</b>	<b>Proposal</b>
<a href="#"><u>20/00950/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Calum Thomas</b>  <b>Written Representation</b>	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex  Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding and associated landscaping.
<a href="#"><u>20/00956/FUL</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Martin Mew</b>  <b>Informal Hearing</b>	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex  Change use of land to residential for the stationing of caravans for Gypsy Travellers including stable, associated infrastructure and development.
<a href="#"><u>20/00109/CONTRV</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Shona Archer</b>  <b>Informal Hearing</b>	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex  Appeal against Enforcement Notice FU/80
<a href="#"><u>18/00323/CONHI</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Sue Payne</b>  <b>Written Representation</b>	West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ  Appeal against HH/22
<a href="#"><u>20/00288/CONENG</u></a>	
<b>Funtington Parish</b>  <b>Case Officer: Tara Lang</b>  <b>Informal Hearing</b>	Land West Of Newells Lane West Ashling Chichester West Sussex PO18 8DD  Appeal against Enforcement Notice FU/77

Reference/Procedure	Proposal
<a href="#"><u>20/00400/CONCOU</u></a>	
<b>Hunston Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	Land East Of Farmfield Nurseries Selsey Road Hunston West Sussex  Appeal against Enforcement Notices HN28 & 30
<a href="#"><u>19/01400/FUL</u></a>	
<b>Loxwood Parish</b>  <b>Case Officer: Martin Mew</b> <b>Written Representation</b>	Moores Cottage Loxwood Road Alfold Bars Loxwood Billingshurst West Sussex RH14 0QS  Erection of a detached dwelling following demolition of free-standing garage.
<a href="#"><u>19/02999/FUL</u></a>	
<b>Selsey Parish</b>  <b>Case Officer: Martin Mew</b> <b>Written Representation</b>	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.
<a href="#"><u>* 19/03112/FUL</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Informal Hearing</b>	Melita Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW  Change of use of land to rear of dwelling for siting of residential caravans for 7 no. pitch Gypsy Traveller site with associated development (hard standing fencing and 3 no. utility buildings).
<a href="#"><u>20/01389/FUL</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Fjola Stevens</b> <b>Written Representation</b>	Land North Of Swan Cottage Selsey Road Sidlesham West Sussex  Erection of 2 storey dwelling, garage and vehicular access off Selsey Road.
<a href="#"><u>20/01470/FUL</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Informal Hearing</b>	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.

<b>Reference/Procedure</b>	<b>Proposal</b>
<a href="#"><u>20/02735/ELD</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Written Representation</b>	Melita Nursery Chalk Lane Sidlesham PO20 7LW  Application for a certificate of existing lawful development for construction and use of a building as a single dwelling-house falling with use class C3.
<a href="#"><u>20/00301/CONMHC</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	M &Y Fruit Limited 82A Fletchers Lane Sidlesham Chichester West Sussex PO20 7QG  Appeal against Enforcement Notice SI/77.
<a href="#"><u>21/00038/CONMHC</u></a>	
<b>Sidlesham Parish</b>  <b>Case Officer: Sue Payne</b> <b>Written Representation</b>	Land To The East Of Ivy Grange Keynor Lane Sidlesham West Sussex  Appeal against Enforcement Notice SI/78.
<a href="#"><u>20/00032/FUL</u></a>	
<b>Southbourne Parish</b>  <b>Case Officer: Joanna Bell</b> <b>Written Representation</b>	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.
<b>Reference/Procedure</b>	<b>Proposal</b>
<b>Southbourne Parish</b>  <b>Case Officer: Maria Tomlinson</b> <b>Written Representation</b>	Marina Farm Thorney Road Southbourne Emsworth Hampshire PO10 8BZ  Redevelopment of previously developed land. Removal of existing 5 no. buildings. Proposed 1 no. dwelling.
<a href="#"><u>21/00089/FUL</u></a>	
<b>Southbourne Parish</b>  <b>Case Officer: Maria Tomlinson</b> <b>Written Representation</b>	Thornham Products Thornham Lane Southbourne PO10 8DD  Retention of existing single mobile home on the land and to continued use for applicant's place of residence, following expiry of temporary period granted under condition 2 of SB/15/01837/FUL.

Reference/Procedure	Proposal
<a href="#"><u>20/03130/FUL</u></a>	
<b>Tangmere Parish</b>  <b>Case Officer: Fjola Stevens</b> <b>Written Representation</b>	17 Nettleton Avenue Tangmere PO20 2HZ  Change use of land from public amenity space to private garden and associated boundary treatment to side of private detached dwelling house.
<a href="#"><u>19/01985/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Informal Hearing</b>	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.
<a href="#"><u>19/03206/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Jane Thatcher</b> <b>Written Representation</b>	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).
<a href="#"><u>* 20/00047/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Written Representation</b>	Hopedene Common Road Hambrook Westbourne PO18 8UP  Change use of land to a single private gypsy pitch with associated hardstanding and day room.
<a href="#"><u>20/00785/FUL</u></a>	
<b>Westbourne Parish</b>  <b>Case Officer: Calum Thomas</b> <b>Informal Hearing</b>	Meadow View Stables Monks Hill Westbourne PO10 8SX  Change of use of land for use as extension to Gypsy caravan site for the stationing of 6 additional caravans, including 3 pitches, each pitch consisting of 1 no. mobile home, 1 no. touring caravan and a utility building together with laying of hardstanding

Reference/Procedure	Proposal
<a href="#"><u>13/00163/CONWST</u></a>	
<p><b>Westbourne Parish</b></p> <p><b>Case Officer: Shona Archer</b></p> <p><b>Public Inquiry to be resumed 11/12<sup>th</sup> January 2022</b></p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex</p> <p>Appeal against WE/40, WE/41 and WE/42</p>
<a href="#"><u>19/00217/CONCOU</u></a>	
<p><b>Westbourne Parish</b></p> <p><b>Case Officer: Steven Pattie</b></p> <p><b>Informal Hearing concluded awaiting decision</b></p>	<p>4 The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP</p> <p>Appeal against Enforcement Notice WE-49</p>
<a href="#"><u>19/00107/CONMHC</u></a>	
<p><b>Westbourne Parish</b></p> <p><b>Case Officer: Steven Pattie</b></p> <p><b>Written Representation</b></p>	<p>Jubilee Wood Bridle Lane Woodmancote Hambrook West Sussex</p> <p>Appeal against Enforcement Notices WE/50 WE/51</p>

Reference/Procedure	Proposal
<a href="#"><u>20/02824/OUT</u></a>	
<p><b>Westhampnett Parish</b></p> <p><b>Case Officer: Andrew Robbins</b></p> <p><b>Public Inquiry</b></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

Reference	Proposal	Stage

#### 6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Land North West of Premier Park, Birdham Road	Of 4 Enforcement Notices to vacate the land and restore it to its agricultural use	Injunction to vacate the land and restore it to agricultural use granted by the High Court on 10.8.20. Extension of deadlines granted on 7.1.21. New application lodged by Defendants on 28.4.21 not proceeded with by the Defendants as confirmed by The High Court. LPA has written to the remaining residents of 3 plots asking for their intentions and giving them 14 days to reply. 2 plots have replied asking for help with re-housing and acknowledging that they need to leave.

Court Hearings		
Site	Matter	Stage

<b>Prosecutions</b>		
<b>Site</b>	<b>Breach</b>	<b>Stage</b>
Land South of the Stables, Newells Lane	Breach of Enforcement Notice	First hearing was on of 30.7.21. Council asked for an adjournment as an appeal against refusal of planning permission has been made by Defendant. Court provided new date: 25/11/21 at Crawley Magistrates' Court
Land West of Newells Lane	Breach of Temporary Stop Notice (TSN)	Not Guilty plea entered on 17.6.21. Matter adjourned to trial at Horsham Magistrates' Court on 13.10.21. Court found Defendant NOT GUILTY on the basis that even though the TSN was on the land (not served on him, though), he was not reasonably expected to know of it as in his mind, he had sold the land so he had no need to attend the site.

## 7. POLICY MATTERS