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Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 4 May 2022 at 9.30 am

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

Members not present: Mr G Barrett, Mr R Briscoe and Mrs J Fowler

In attendance by invitation:

Officers present: Miss J Bell (Development Manager (Majors and Business)), Miss N Golding (Principal Solicitor), Mrs F Stevens (Divisional Manger for Planning), Young (Development Manager (Applications)), Mr C Thomas (Senior Planning Officer), Tomlinson (Planning Officer), Mr T Day (Environmental Coordinator) and Miss T Lang (Principal Planning Officer (Enforcement))

221 **Chairman's Announcements**

The Chairman welcomed everyone present to the meeting and read out the emergency evacuation procedure.

Apologies were received from Cllr Graeme Barratt, Cllr Briscoe, and Cllr Judy Fowler.

222 **Approval of Minutes (to follow)**

The minutes of the meeting held on 6 April 2022 were agreed as a true and accurate record.

223 **Urgent Items**

There were no urgent items.

224 **Declarations of Interests**

Mrs Johnson declared a personal interest in;

- Agenda 7 - SI/21/02786/FUL – Member of West Sussex County Council
- Agenda 8 – LX/20/01977/FUL – Member of West Sussex County Council

Mr Oakley declared a personal interest in;

- Agenda 7 - SI/21/02786/FUL – Member of West Sussex County Council
- Agenda 8 – LX/20/01977/FUL – Member of West Sussex County Council

Mrs Sharp declared a personal interest in;

- Agenda 5 – CC/21/02880/ADV – Member of Chichester City Council
- Agenda 6 – CC/21/02893/FUL – Member of Chichester City Council
- Agenda 7 - SI/21/02786/FUL – Member of West Sussex County Council
- Agenda 8 – LX/20/01977/FUL – Member of West Sussex County Council

225 **CC/21/02880/ADV 48 East Street Chichester PO19 1HX**

Mrs Purnell explained the officer report for Agenda Item 5 would also introduce Agenda Item 6, however, a separate vote would be taken for each item.

Mr Thomas introduced the report to the Committee, he drew their attention to the Agenda Update sheet which included an additional Informative for Agenda Item 5 (CC/21/02880/ADV) and an additional comment for Agenda Item 6 (CC/21/02893/FUL) regarding the paint colour.

Mr Thomas outlined the site location to the Committee which was included within the Chichester Conservation Area. He confirmed the Shippam Building Sign located on the building would be retained as part of the application.

Mr Thomas informed the Committee the application (Agenda Item 5 CC/21/02880/ADV) had been revised during the application process and now only sought permission for a single central sign to the front of the building. The proposed paint (Agenda Item 6 CC/21/02893/FUL) was in keeping with the conservation area.

Mr Thomas showed photographs of neighbouring shop fronts to provide some context for the Committee.

There were no representations.

Officers responded to Member's comments and questions as follows;

On the issue of items such as baskets and billboards being placed outside the store; Ms Stevens explained it was not possible to include a condition on this issue.

Mr Thomas agreed the proposed additional informative for Agenda Item 5 (set out on the Agenda Update Sheet) could be included as a condition.

On the matter of the street number; Ms Stevens confirmed this was considered part of the fascia.

In a vote the Committee agreed to support the report recommendation to **permit**, subject to the conditions and informatives set out in the report.

Recommendation; **permit**, subject to the conditions and informatives set out in the report

226 **CC/21/02893/FUL 48 East Street Chichester PO19 1HX**

The officer's report was introduced under Agenda Item 5.

There were no representations.

All comments and questions were addressed under Agenda Item 5.

In a vote the Committee agreed to support the report recommendation to **permit**, subject to the conditions and informatives set out in the report.

Recommendation; **permit**, subject to the conditions and informatives set out in the report

227 **SI/21/02786/FUL Land South Of Telephone Exchange Selsey Road Sidlesham PO20 7NG**

Ms Tomlinson presented the report to the Committee. She drew the Committee's attention to the Agenda Update sheet which included an addendum to the reasons for refusal.

Ms Tomlinson outlined the site location, which was within the Sidlesham Parish boundary but, outside the settlement boundary. She explained the current site layout and detailed how the proposed application (part of which was retrospective) would be incorporated. She confirmed there would be no changes to the site access.

Ms Tomlinson showed the Committee a series of photos to provide some context of the site. She clarified that Mutton's Farmhouse was a grade II listed building

Ms Tomlinson explained the reasons for the officer recommendation to refuse the application, highlighting how it conflicted with current planning policy.

The following representations were received;

Mr Hughes – Owner

Officers responded to Member's comments and questions as follows;

In response to comments made regarding the rural economy; Mr Young advised the Committee the contribution from the site to the rural economy would be minimal. Officers had considered the application carefully against Planning Policy specifically the National Planning Policy Guidance 2021 and the Adopted Local Plan and had considered issues such as the increase in traffic and environmental impact when making their recommendation.

Following a discussion Mrs Johnson proposed the Committee go against the officer recommendation and **permit**, the application on the grounds that there would be no harm caused to the visual impact and it would support the local rural economy.

The proposal was seconded by Rev. Bowden.

Before the Committee voted on Mrs Johnson's proposal the Chair invited Ms Tomlinson to outline conditions that would likely be attached if the application were permitted. Ms Tomlinson informed the Committee conditions relating to the following aspects would be attached if the permission were granted;

- Timings of operation
- Approval of plans
- Approval of use
- Approval of storage height
- Agreement of equipment to be stored on site
- Lighting and illumination
- Landscaping

Ms Tomlinson informed the Committee the conditions proposed by the Parish Council would also be included except the condition for 24-hour use.

Ms Stevens advised the Committee that decisions made by the Planning Authority would be taken into consideration as a material consideration should a similar application be submitted.

The Committee then voted on Mrs Johnson's proposal, as the vote was tied the Chair used their casting vote to overturn the proposal.

The Committee then voted on the report recommendation.

In a vote the Committee agreed to support the report recommendation to **refuse**, for the reasons set out in the report.

Recommendation; **refuse**, for the reasons set out in the report.

228 **LX/20/01977/FUL Land West Of Guildford Road Loxwood West Sussex**

Ms Bell presented the report to the Committee. She drew attention to the Agenda Update sheet which included an amendment to Condition 5 and additional third-party representations.

She explained the reason for the report recommendation to 'Delegate to Officers' was due to a number of outstanding matters which would need to be completed before the application could be positively determined. Including; a number of pre-commencement conditions which had yet to be discharged on the extant planning permission; the S106 agreement and agreement on the water neutrality. Ms Bell confirmed once the outstanding matters had been resolved it was officer's intention to permit the application with proposed conditions.

Ms Bell outlined what changes had been made to the application since it had been presented at Committee in January 2021. The main changes were in relation to water neutrality which had come forward whilst the S106 was being drafted. Water neutrality is a material consideration and therefore the developer was required to demonstrate how they would achieve water neutrality.

Ms Bell explained the applicant had done an immense amount of work to demonstrate water neutrality on site. She confirmed the Council had undertaken an assessment of the proposals and consulted with Natural England (as the statutory consultee).

Ms Bell outlined the three measures put forward to achieve water neutrality;

1. Using the extant water demand from an earlier extant planning permission. Ms Bell explained the Council had sought legal advice on this proposal. The extant permission would provide 3440 litres per day.
2. The inclusion of water reduction measures, such as on-site rainwater harvesting systems. Ms Bell explained if approved a condition would be included to ensure no occupancy could take place until water mitigation measures had been approved and signed off.
3. An off-site water neutrality scheme at Fisher's Farm. Ms Bell explained the three elements of the scheme to the Committee included;
 - a. A 10,000ltr rainwater harvesting tank to provide a wash down facility for farm vehicles
 - b. A 10,000ltr rainwater harvesting system linked to toilets in the new part of the farm.
 - c. An improvement to the toilet facilities at the entrance to the farm.

Ms Bell confirmed Natural England had reviewed the Plans and agreed the developer had achieved water neutrality.

Ms Bell highlighted further changes to the site since 2021, which included amendments to the parking arrangements and alterations to the layout of floor plans in some properties.

Ms Bell reminded the Committee of the site location and proposed layout. She confirmed the site was within the Parish of Loxwood. Although much of the site was located outside the settlement boundary, the north eastern part of the site was located within the settlement boundary did form part of the land allocation in Policy 5 of the Loxwood Neighbourhood Plan.

Ms Bell drew the Committee's attention the Public Right of Way (PRoW) which ran along the southern edge of the site. She explained that as part of the application process the PRoW would be diverted around the site to join with a bridleway at the western side of the site.

Ms Bell highlighted other development sites close to the application site.

She confirmed the application sought full planning permission for 27 dwellings (8 of which would be affordable housing units), a single retail unit and associated infrastructure including a new vehicular access to the site.

The following representations were received;

Mr Woods – Supporter

Mr Chris White – Agent

Cllr Janet Duncton – CDC Ward Member

Cllr Adrian Moss (on behalf of Cllr Gareth Evans) – CDC Ward Member

Officers responded to Member's comments and questions as follows;

With regards to concerns regarding the location of the foul water pumping station and its proximity to the nearest dwelling; Ms Bell acknowledged the comments made and confirmed there had been no changes in respect of this matter since the application had been considered by the Committee in January 2021. She agreed to include an update to address the issue within Condition 6.

With regards to Condition 5; Ms Bell explained the surface water drainage scheme had already been assessed and approved by the drainage engineers as it was a pre-commencement condition. She suggested it would be more appropriate to include a new condition to address the issue of surface water on the PRow through an additional prior to slab level condition.

On the issue of water neutrality mitigation at Fisher's Farm; Ms Bell confirmed it was a requirement of both the Council and Natural England that the proposed water neutrality mitigation methods worked for as long as required. She explained the measures may not be required in perpetuity, but they would be required until a strategic solution was brought forward.

Ms Bell informed the Committee that the applicants had volunteered a maintenance payment for the first five years of operation to Fisher's Farm.

When the measures are no longer required as a result of a solution being brought forward it was officer opinion that the applicants would have to apply not to comply with the measures.

With regards to water neutrality monitoring; Ms Bell confirmed monitoring of the mitigation measures would be completed until an appropriate solution was brought forward. She explained off-site monitoring would be completed through annual water metering; on-site monitoring would include the verification of proposals put forward as part of the mitigation package. Ms Bell informed the Committee that Natural England do include a 'buffer' within their methodology, making provision for people who may change and update internal fixtures and fittings. In addition, Ms Stevens assured the Committee there were measures in place to ensure the measures are maintained, monitored and enforced.

Ms Bell acknowledged comments made regarding the landscaping onsite.

In response to comments regarding the appropriateness of the site; Ms Bell confirmed the site was suitable and was compliant with the IPS. She explained the main site allocation was currently paddock and garden land.

On the matter of rainwater harvesting; Mr Day acknowledged comments made and confirmed that diverting rainwater from entering groundwater reserves was considered as part of the Natural England guidance. He explained rainwater harvesting was an important mitigation measure.

With regards to the rainwater harvesting tanks at Fisher's Farm; Mr Day informed the Committee that the applicant had submitted a report which modelled the average day by day rainfall, which had help determine the size of tanks to be installed. From the modelling it was expected the tank for the toilets would supply 94% of the water required, there would be the option switch to mains water when needed.

In a vote the Committee agreed to support the report recommendation to delegate to officers.

Recommendation; Delegate to officers

**Mrs Sharp left the meeting at 10.42*

229 **Chichester District Council Schedule of Planning Appeals, Court and Policy Matters**

Ms. Lang introduced the report and drew the Committee's attention to the Agenda Update sheet, which included an update on High Court Hearings.

On the matter of Land within Westhampnett; Ms Bell informed the Committee that the hearing had been delayed for many reasons including the 5YHLS, all information was now with PINs and a decision was expected very soon.

On the matter of Land South of the Stables; Ms Lang explained that this had been withdrawn from the court list because officers were waiting on the outcome of another parcel of land.

On the matter of Crouchlands, Lagoon 3; Ms Stevens explained the comment in the report and why Counsel advice had been sought.

The Committee agreed to note the item.

230 **South Downs National Park Authority Schedule of Planning Appeals, Court and Policy Matters**

The Committee agreed to note the item.

231 **Schedule of Contraventions**

Ms Lang introduced the report.

On the issue of Land North West of Newbridge Farm (p.143); Ms Lang explained there were two separate parcels of land in separate ownership, with separate breaches.

Following a vote the Committee agreed to note the item.

232 **Consideration of any late items as follows:**

There were no late items.

233 **Exclusion of the Press and Public**

There were no part two items.

The meeting ended at 11.36 am

CHAIRMAN

Date: