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Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 7 September 2022 at 9.30 am

Members Present: Mrs C Purnell (Chairman), Mr G Barrett, Mr B Brisbane, Mr R Briscoe, 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: Rev J H Bowden and Mrs J Fowler

In attendance by invitation:

Officers present: Mrs F Baker (Democratic Services Officer), Miss J Bell (Development Manager (Majors and Business)), Miss N Golding (Principal Solicitor), Ms J Prichard (Senior Planning Officer), Mrs F Stevens (Divisional Manger for Planning) and Mr C Thomas (Senior Planning Officer)

278 **Chairman's Announcements**

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

She informed the Committee that Agenda Item 5 – NM/21/02878/OUT – Land North of Larock, Post Office Lane, North Mundham had been withdrawn to allow further investigation with regard to surface water and ground water following amended guidance in the NPPG which was issued on 25 August 2022.

Apologies were received from Cllr John-Henry Bowden and Cllr Fowler.

279 **Approval of Minutes**

The minutes of the meeting held on 10 August 2022 were agreed as a true and accurate record.

280 **Urgent Items**

There were no urgent items.

281 **Declarations of Interests**

Mrs Johnson declared a personal interest in;

- Agenda Item 6 – D/21/0099/FUL – as a member of West Sussex County Council

- Agenda Item 7 – CC/21/03657/FUL – as a member of West Sussex County Council

Mr Oakley declared a personal interest in;

- Agenda Item 6 – D/21/0099/FUL – as a member of West Sussex County Council
- Agenda Item 7 – CC/21/03657/FUL – as a member of West Sussex County Council

Mrs Sharp declared a personal interest in;

- Agenda Item 6 – D/21/0099/FUL – as a member of West Sussex County Council
- Agenda Item 7 – CC/21/03657/FUL – as a member of West Sussex County Council and Chichester City Council

282 NM/21/02878/OUT - Land North Of Larock Post Office Lane North Mundham West Sussex

As announced by the Chairman the item was withdrawn to allow further investigation with regard to surface water and ground water following amended guidance in the NPPG issued on 25 August 2022.

283 D/21/00997/FUL - Donnington Manor Farm Selsey Road Donnington PO20 7PL

Mr Thomas presented the report to Committee. He reminded the Committee that the application had been deferred by the Committee at the meeting on 6 July 2022 for publicity as a departure from the development plan and to reduce the extent of the residential curtilage.

Mr Thomas outlined the site application and showed the revised site plan. He explained that following discussion with the applicant there has been an enhancement to the tree boundary and a reduction in the domestic curtilage. This would be secured through a landscaping condition should the Committee chose to permit the development.

Mr Thomas explained the reasons for the proposed refusal as set out in the report.

The following representations were received;

Mr Robert Brown – Applicant
Cllr Adrian Moss – CDC Ward Member

Officers responded to Members comments and questions as follows;

With regards to the conditions which would be attached if the application were permitted; Mr Thomas went through the list of likely conditions which would be attached, including; a three year time limit for development to commence; a condition to secure materials; a condition to secure surface water drainage;

conditions to secure ecological enhancements and soft landscaping (in accordance with the ecological assessment), a condition to replace trees within first five years; a condition to secure the dwelling as agricultural occupancy. He also advised that if the application were permitted the rights for permitted development (such as an extension) and the installation of external lighting would be removed.

With regards to the replacement of trees within the first five years; Ms Stevens clarified that the condition would require any trees that die within the first five years to be replaced.

With regards to bin and bike storage; Ms Stevens confirmed these would be secured through condition if the application was permitted.

With regards to a condition being included to secure the watering of trees; Ms Stevens explained this would be unreasonable, the tree planting and maintenance would be secured through condition.

Ms Stevens advised the committee if they were minded to permit the development they should propose to 'defer for S106 and then permit'. Mr Thomas explained a s106 agreement would be required for recreational disturbance.

Following a vote the Committee voted against the officer recommendation to refuse.

Cllr Briscoe proposed the application be deferred for S106 and then permitted.

This was seconded by Cllr Sharp.

In a vote the Committee agreed to support the report recommendation to **defer for S106 then permit.**

Resolved; **Defer for S106 then permit.**

**members took a 10 minute break*

284 **CC/21/03657/FUL - Solent Wholesale Carpet Company Limited Barnfield Drive Chichester PO19 6UX**

Ms Prichard presented the report to the Committee. She outlined the application site and highlighted the proposed extension, drawing the Committee's attention to the proximity of the development to its neighbouring locations.

Ms Prichard explained the application had been deferred for a site visit at the meeting on 15 June 2022, the Committee had also requested further information on; the proposed soakaway; clarification regarding land contamination and gas venting; confirmation of how the remaining bund would be supported; further details of biodiversity net gain and clarification of site levels. Ms Prichard confirmed these matters had been addressed and were detailed in the report in bold print.

She showed the Committee the proposed elevations and confirmed there would be no changes to the eastern elevation.

Ms Prichard highlighted the bund and the proposed amendments (including landscaping) that would be made as part of the application. She explained the bund would be excavated at a 60° angle and reinforced with a geotextile membrane. The height would be retained at the existing height of 2.3m.

Ms Prichard informed the Committee that since the last Committee meeting the applicant had had a tree survey undertaken in response to concerns over Ash Dieback. The results of the survey have meant that 17 trees will be removed along the northern boundary, however 29 trees would be retained. In addition, a revised planting plan has been submitted which shows the planting of 34 new native species along the boundary.

Ms Prichard highlighted the proposed new soakaway and confirmed that it did not conflict with either the existing soakaway or the gas venting trench.

The following representations were received;

Mr Simpson – Objector

Mrs Shortman – Objector

Mr Gary Ewins – Supporter

Mr Luke Crooks – Applicant

Officers responded to Members' comments and questions as follows;

With regards to managing the visual impact from the building; Ms Prichard agreed that if the Committee wished the five year limit for replacing trees could be removed, so that the applicant would be required to replace trees indefinitely if required.

On the issue of Solar Panels; Ms Prichard advised the Committee that the installation of solar panels was not part of the application. In addition, Ms Stevens acknowledged the concern raised by the Committee over the visual impact from the installation of solar panels, but advised the removal of any permitted development rights would only be applicable to the extension and not the building as a whole.

With regards to concerns regarding impact from noise; Ms Bell drew the Committee's attention to Condition 17. She confirmed officers had reviewed and considered the Noise Impact Assessment, and, with the inclusion of condition 19 were satisfied the noise element was acceptable.

On the matter of separation distances between residential buildings and commercial buildings; Ms Prichard drew the Committee's attention to paragraph 8.15 of the report. She explained that whilst there was no set guidance for separation distances between houses and proposed commercial building the Council did have guidance contained within the Chichester District Council Development Management Service Planning Guidance Note 3 which did offer advice on what would be acceptable.

With regards to the soil from the excavation; Ms Bell explained the landscape condition had been amended to try and prevent any of the soil excavated from the

bund entering landfill, including further landscape enhancements and the potential creation of a second bund.

On the matter of the open space along the Pitcroft; Ms Bell agreed this was used as an informal area for recreational purposes and could be conditioned so that it was retained as an open space, with an informative also included to retain the recreational element.

With regards to variances in levels; Ms Prichard confirmed that the site levels had been investigated and drew the Committee's attention to paragraph 8.9a (page 100) of the report. She confirmed the site was predominately flat (apart from the bund) and officers were satisfied there would be a satisfactory relationship between the site and the Phase 9a development site to the north.

With regards to the type of trees which would be planted: Ms Prichard confirmed this would be controlled through Condition 16.

Following a discussion regarding the appropriate colour of the building and how it impacted on neighbouring residential properties; officers agreed to amend Condition 14 to reflect the Committee's concerns over the colour of the building.

On the matter of consulting with residents; Ms Stevens explained that it was not possible to include a condition or informative requiring the applicant to consult with neighbours. However, officers would liaise with the local ward members.

With regards to the inclusion of a water management condition for the new trees; Ms Stevens agreed that a management proposal could be included, however, it would not be acceptable to ask the applicant to pay an ongoing monitoring fee. The site was visible and if there were any concerns these could be reported to the Enforcement Team who would then investigate.

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

Resolved; **permit**; subject to the amended conditions as discussed, aswell as the conditions and informatives set out in the report.

**Members took a ten-minute break*

** Cllr Potter and Cllr Sharp left the meeting at 11.25am*

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

Ms Stevens drew the Committee's attention to Melita Nursery, Chalk Lane (page 126) which had been allowed at appeal. She clarified that the maximum number of additional pitches which could be sited at Melita was seven.

The Chairman drew the Committee's attention to the Agenda Update Sheet which included updates on High Court Hearings for both; Land at Flat Farm, Broad Road, Hambrook, West Sussex PO18 8FT and Westhampnett/North East Chichester SDL.

The Committee noted the decision at the Former Portfield Quarry as a positive reflection in the use local evidence.

The Committee agreed to note the item.

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

The Committee agreed to note the item.

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

There were no late items.

288 **Exclusion of the Press and Public**

There were no part two items.

289 **Agenda Update Sheet 07.09.2022**

The meeting ended at 11.42 am

CHAIRMAN

Date: