

# Chichester District Council Planning Committee

Wednesday 05 October 2022

## Report of the Director Of Planning and Environment Services Schedule of

### Planning Appeals, Court and Policy Matters

between 17-08-2022 - 13-09-2022

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>21/02361/FUL</u></a>   |   |
| <b>Chidham &amp; Hambrook Parish</b><br><br><b>Case Officer: Jane Thatcher</b><br><br><b>Written Representation</b> | Cockleberry Farm Main Road Bosham Chichester West Sussex PO18 8PN<br><br>Demolition of existing warehouse buildings, B8 container storage, residential caravans/park homes and stables and the erection of 9 no. dwellings and associated works including landscaping and access alterations. |

## 2. DECISIONS MADE

| Reference/Procedure   | Proposal  |
|---|---|
| <a href="#">20/03125/OUT</a>  |   |
| <b>Earnley Parish</b><br><b>Case Officer: Jeremy Bushell</b><br><b>Public Inquiry</b>   | Land South Of Clappers Lane Clappers Lane Earnley West Sussex<br><br>Outline Application for the erection of up to 100 dwellings with associated access, landscaping and public open space. All matters reserved other than access. |
| <b>Appeal Decision: APPEAL ALLOWED</b>  |   |
| <p>"The appeal is allowed, and outline planning permission is granted for the erection of up to 100 dwellings with associated access, landscaping and public open space .... The appeal site is ....not subject to any particular landscape designation. .... The Council considers that it is vital to retain the undeveloped nature of the site in order to maintain the separate identities of Bracklesham and Earnley, which have contrasting characters. ....No evidence has been provided to show that the appeal site is currently, or proposed to be, designated as a local gap. ... the settlements of Bracklesham and Earnley are linked to the north of Clappers Lane by residential dwellings fronting the north of the lane near to Earnley, and Holdens Caravan Park that is set behind a small area of grassland. Also, Earnley Rife separates the appeal site from the settlement of Earnley.. ...The proposal would replace the development boundary up to the mature hedge line to the eastern side of The Beeches with a new development boundary of 2 storey housing fronting out onto parkland..... it would add additional hedgerows and tree planting along Clappers Lane and would retain a noticeable area of land between Bracklesham and Earnley that would not have built development on it. ... I find that the proposal would continue to separate the settlements of Bracklesham and Earnley. ... most of the views from public vantage points around the site would not be significantly affected by the proposal.. ... I have considered all the evidence presented by Earnley Parish Council regarding the effect of the proposal on the CA. However, it is not supported by any heritage expert evidence and the Council has not refused the proposal on these grounds. ... I find that the proposal would preserve the character and appearance of Earnley CA .... However, the proposal would have an adverse effect on the character and appearance of the area due to the extent of built development that would be visible from Clappers Lane, ... It would therefore fail to accord with CLP policies 33 and 48, due to the harm that it would cause to the rural character of the area. ... I find no valid reason to refuse planning permission for the proposed development due to pollution or foul sewage drainage issues...it would comply with paragraphs 174 e) and 185 of the Framework in this respect. ... At the Inquiry the Council demonstrated a 5 year HLS of 3,356 dwellings, which is 5.01 years based on its housing requirement. The appellant has calculated that it would be 2,795 dwellings, which is a 4.17 year supply, ....Whilst I have not accepted all the appellant's reasons for reducing the 5 year supply, those that I have agreed reduce the figure to 3,232 dwellings, which is about a 4.8 year supply. The Council's calculated 5 year HLS supply is only 6 dwellings over the requirement so that even if I accept a small reduction in delivery due to delays as a result of the water and/or nutrient neutrality issues, which seems likely, there would not be a 5 year HLS. .... The proposal would provide 30% affordable housing,. ...I have therefore attached substantial weight to this provision even though it would not exceed the policy requirement. ... the proposal would result in a significant increase in habitat and a net gain for biodiversity. ... I have attached moderate weight to this benefit. ... the proposal would provide open space and provision for play and a community garden and orchard. ... I have therefore attached moderate positive weight to these provisions. ... I have</p> |   |

**Appeal Decision: APPEAL ALLOWED -  
continued**

given significant weight to the resulting support to economic growth and productivity from the development. The adverse effects of the proposal would be as a result of the loss of an open rural landscape, ... I have given this substantial weight. ....I attach significant weight to the harm arising from this loss of agricultural land. I have found non-compliance with some of the most important policies in the CLP in the determination of this appeal, ..... I find that the proposal would not accord with the development plan as a whole, even though I have reduced the weight that I have given these policies due to the lack of a 5 year HLS. Turning to paragraph 11(d)(ii) of the Framework, ..... I find that the adverse impacts would not significantly and demonstrably outweigh the benefits that I have identified,.....I conclude that a presumption in favour of sustainable development has been established for the proposed development. This is a material consideration in favour of the appeal proposal. In applying section 38(6) of the Planning and Compulsory Purchase Act (2004), .... Therefore, for the reasons given and having regard to all relevant matters raised, I conclude that the appeal should succeed."

**18/00323/CONHI**

**Funtington Parish**  
**Case Officer: Sue Payne**  
**Written Representation**

West Stoke Farm House Downs Road West Stoke  
Funtington Chichester West Sussex PO18 9BQ  
Appeal against High Hedge Remedial Notice HH/25

**Appeal Decision: APPEAL WITHDRAWN**

Withdrawn - 08.09.22

**21/00077/FUL**

**Plaistow And Ifold Parish**  
**Case Officer: Sascha Haigh**  
**Written Representation**

Oxencroft Ifold Bridge Lanefold Loxwood RH14 0UJ  
  
New entrance gate at Oxencroft (retrospective).

**Appeal Decision: APPEAL DISMISSED**

" The appeal is dismissed. The main issue is the effect of the proposal on the character and appearance of the surrounding area..... Ifold Bridge Lane has a strong rural character. Entrances to the various sites are modest and unobtrusive. Residential paraphernalia is not a particular feature of the immediate area..... The brick piers are substantial in both depth and height; they have a massive appearance which is incongruous with the vernacular unobtrusive timber posts. .... The Appellant has referred to other examples of similar gates. .... these other examples are not comparable to the appeal proposal in respect of their scale, design and siting. ....The benefit of added security does not outweigh the disbenefit of the harm to the character and appearance of the area. ....For the reasons stated above, I find that the appeal proposal is contrary to the relevant policies of the Development Plan. The appeal is accordingly dismissed."

### 3. IN PROGRESS

| Reference/Procedure   | Proposal   |
|---|--|
| <a href="#"><u>20/03034/OUT</u></a>   |  |
| <b>Birdham Parish</b><br><b>Case Officer: Jane Thatcher</b><br><b>Informal Hearing</b><br><b>22-Nov-2022</b><br><b>Chichester College,</b><br><b>Westgate Fields,</b><br><b>Chichester PO19 1SB</b> | Land And Buildings On The South Side Of Church Lane Birdham West Sussex<br><br>Erection of 25 no. dwellings comprising 17 open market and 8 affordable units with access, landscaping, open space and associated works (all matters reserved except for access and layout) |
| <a href="#"><u>21/03407/PA3Q</u></a>  |  |
| <b>Boxgrove Parish</b><br><b>Case Officer: Sascha Haigh</b><br><b>Written Representation</b>  | Eartham Quarry Eartham West Sussex PO18 0FN<br><br>Change of use of agricultural building to 2 no. dwellinghouses (Class C3).  |
| <a href="#"><u>21/03343/FUL</u></a>   |  |
| <b>Chichester Parish</b><br><b>Case Officer: Sascha Haigh</b><br><b>Written Representation</b>  | Forbes Place, Flat 23 King George Gardens Chichester PO19 6LF<br><br>Altering of non-load bearing partitions and ceiling, removal of boiler and addition of 1 no. roof-light.  |
| <a href="#"><u>21/03344/LBC</u></a>   |  |
| <b>Chichester Parish</b><br><b>Case Officer: Sascha Haigh</b><br><b>Written Representation</b>  | Forbes Place, Flat 23 King George Gardens Chichester PO19 6LF<br><br>Altering of non-load bearing partitions and ceiling, removal of boiler and addition of 1 no. roof-light.  |
| <a href="#"><u>20/00040/CONENG</u></a>  |  |
| <b>Chichester Parish</b><br><b>Case Officer: Mr Michael Coates-Evans</b><br><b>Written Representation</b>   | Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex<br><br>Appeal against CC/154  |

| Reference/Procedure  | Proposal  |
|--|---|
| <b><u><a href="#">* 20/01854/OUT</a></u></b>   |   |
| <b>Chidham &amp; Hambrook Parish</b><br><b>Case Officer: Andrew Robbins</b><br><b>Informal Hearing</b> | Chas Wood Nurseries Main Road Bosham PO18 8PN<br><br>Outline permission for 26 no. dwellings with access, public open space, community orchard and other associated works (with all matters reserved except for access).                                      |
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| <b><u><a href="#">20/03320/OUTEIA</a></u></b>  |   |
| <b>Chidham &amp; Hambrook Parish</b><br><b>Case Officer: Jane Thatcher</b><br><b>Public Inquiry</b>    | Land East Of Broad Road Broad Road Nutbourne West Sussex<br><br>Outline planning application (with all matters reserved except access) for up to 132 dwellings and provision of associated infrastructure.  |
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| <b><u><a href="#">20/03321/OUTEIA</a></u></b>  |   |
| <b>Chidham &amp; Hambrook Parish</b><br><b>Case Officer: Jane Thatcher</b><br><b>Public Inquiry</b>    | Land North Of A259 Flat Farm Main Road Chidham West Sussex<br><br>Outline planning application (with all matters reserved except access) for up to 68 no. dwellings and provision of associated infrastructure.   |
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| <b><u><a href="#">20/03378/OUT</a></u></b>   |   |
| <b>Chidham &amp; Hambrook Parish</b><br><b>Case Officer: Andrew Robbins</b><br><b>Informal Hearing</b> | Land At Flat Farm Hambrook West Sussex PO18 8FT<br><br>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. |
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| <b><u><a href="#">22/00137/FUL</a></u></b>   |   |
| <b>Earnley Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Written Representation</b>            | Russ Autos132A Almodington Lane Almodington Earnley Chichester West Sussex PO20 7JU<br><br>Demolition of B2 workshop and erection of 1 no. live/work unit.  |
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| Reference/Procedure  | Proposal  |
|--|---|
| <a href="#"><u>21/03163/FUL</u></a>  |   |
| <b>East Wittering And Bracklesham Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Written Representation</b> | Hanneys West Bracklesham Drive Bracklesham PO20 8PH<br><br>Replacement dwelling, garaging and associated works (alternative scheme to planning permission EWB/20/03303/FUL)               |
| <a href="#"><u>21/03282/FUL</u></a>  |   |
| <b>East Wittering And Bracklesham Parish</b><br><b>Case Officer: Emma Kierans</b><br><b>Written Representation</b> | Land South Of Tranjoeen Ashcroft Place<br>Bracklesham Lane Bracklesham Bay West Sussex<br><br>Proposed vehicle crossover (means of access to a highway Class B).                          |
| <a href="#"><u>* 21/02509/FUL</u></a>  |   |
| <b>Fishbourne Parish</b><br><b>Case Officer: Martin Mew</b><br><b>Written Representation</b>                       | Black Boy Court Main Road Fishbourne PO18 8XX<br><br>Creation of 4 no. parking spaces, dropped kerb, boundary treatment and landscaping.  |
| <a href="#"><u>21/02553/FUL</u></a>  |   |
| <b>Fishbourne Parish</b><br><b>Case Officer: Joanne Prichard</b><br><b>Written Representation</b>                  | Bethwines Farm Blackboy Lane Fishbourne PO18 8BL<br><br>Change of use of land to provide facility for 'doggy day care', including the provision of 3 no. portakabins and perimeter fence. |
| <a href="#"><u>22/00142/FUL</u></a>  |   |
| <b>Fishbourne Parish</b><br><b>Case Officer: Jane Thatcher</b><br><b>Written Representation</b>                    | Bethwines Farm Blackboy Lane Fishbourne Chichester West Sussex PO18 8BL<br><br>Re-grading of existing agricultural land to create natural grass and wetlands.                             |

| Reference/Procedure   | Proposal  |
|---|---|
| <a href="#"><u>22/00575/PA3R</u></a>  |   |
| <b>Fishbourne Parish</b><br><b>Case Officer: Jane Thatcher</b><br><b>Written Representation</b>   | Bethwines Farm Blackboy Lane Fishbourne Chichester West Sussex PO18 8BL<br>Prior Approval - Change of use of existing agricultural building to storage use (B8).  |
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| <a href="#"><u>* 19/00445/FUL</u></a>   |   |
| <b>Funtington Parish</b><br><b>Case Officer: Martin Mew</b><br><b>Written Representation</b>  | Land South East Of Tower View Nursery West Ashling Road Hambrook Funtington West Sussex<br>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. |
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| <a href="#"><u>19/02939/FUL</u></a>   |   |
| <b>Funtington Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Informal Hearing</b><br><b>31-Jan-2023</b><br><b>Chichester City Council</b><br><b>North Street Chichester</b><br><b>PO19 1LQ</b> | Old Allotment Site Newells Lane West Ashling West Sussex<br>Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding.  |
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| <a href="#"><u>20/00234/FUL</u></a>   |   |
| <b>Funtington Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Informal Hearing</b><br><b>31-Jan-2023</b><br><b>Chichester City Council</b><br><b>North Street Chichester</b><br><b>PO19 1LQ</b> | Land West Of Newells Lane West Ashling PO18 8DD<br>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.   |
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| <a href="#"><u>20/00534/FUL</u></a>   |   |
| <b>Funtington Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Informal Hearing</b><br><b>29-Nov-2022</b><br><b>Chichester District Council</b><br><b>East Pallant House PO19</b><br><b>1TY</b>  | Land South Of The Stables Scant Road East Hambrook Funtington West Sussex<br>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.  |

| Reference/Procedure  | Proposal  |
|--|---|
| <a href="#"><u>20/00950/FUL</u></a>  |   |
| <p><b>Funtington Parish</b><br/> <b>Case Officer: Calum Thomas</b></p> <p><b>Informal Hearing</b><br/> <b>31-Jan-2023</b><br/> <b>Chichester City Council</b><br/> <b>North Street Chichester</b><br/> <b>PO19 1LQ</b></p> | <p>Field West Of Beachlands Nursery Newells Lane<br/> West Ashling West Sussex</p> <p>Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding and associated landscaping.</p>                 |
| <a href="#"><u>20/00956/FUL</u></a>  |   |
| <p><b>Funtington Parish</b><br/> <b>Case Officer: Calum Thomas</b></p> <p><b>Informal Hearing</b><br/> <b>31-Jan-2023</b><br/> <b>Chichester City Council</b><br/> <b>North Street Chichester</b><br/> <b>PO19 1LQ</b></p> | <p>Field West Of Beachlands Nursery Newells Lane<br/> West Ashling West Sussex</p> <p>Change use of land to residential for the stationing of caravans for Gypsy Travellers including stable, associated infrastructure and development.</p>            |
| <a href="#"><u>20/03306/FUL</u></a>  |   |
| <p><b>Funtington Parish</b><br/> <b>Case Officer: Calum Thomas</b></p> <p><b>Informal Hearing</b><br/> <b>31-Jan-2023</b><br/> <b>Chichester City Council</b><br/> <b>North Street Chichester</b><br/> <b>PO19 1LQ</b></p> | <p>Land To The West Of Newells Farm Newells Lane<br/> West Ashlin gWest Sussex</p> <p>The stationing of caravans for residential purposes together with the formation of hardstanding and utility/dayrooms ancillary to that use for 3 no. pitches.</p> |
| <a href="#"><u>20/00288/CONENG</u></a>   |   |
| <p><b>Funtington Parish</b><br/> <b>Case Officer: Shona Archer</b></p> <p><b>Informal Hearing</b><br/> <b>31-Jan-2023</b><br/> <b>Chichester City Council</b><br/> <b>North Street Chichester</b><br/> <b>PO19 1LQ</b></p> | <p>Land West Of Newells Lane West Ashling Chichester<br/> West Sussex PO18 8DD</p> <p>Appeal against Enforcement Notice FU/89</p>   |



| Reference/Procedure   | Proposal   |
|---|--|
| <a href="#"><u>20/00109/CONTRV</u></a>  |  |
| <b>Funtington Parish</b><br><b>Case Officer: Shona Archer</b><br><b>Informal Hearing</b><br><b>31-Jan-2023</b><br><b>Chichester City Council</b><br><b>North Street Chichester</b><br><b>PO19 1LQ</b> | Field West Of Beachlands Nursery Newells Lane<br>West Ashling West Sussex<br>Appeal against Enforcement Notice FU/80   |
|   |  |
| <a href="#"><u>21/00152/CONTRV</u></a>  |  |
| <b>Funtington Parish</b><br><b>Case Officer: Shona Archer</b><br><b>Informal Hearing</b><br><b>31-Jan-2023</b><br><b>Chichester City Council</b><br><b>North Street Chichester</b><br><b>PO19 1LQ</b> | Land West Of Newells Farm Newells Lane<br>West Ashling West Sussex<br>Appeal against Enforcement Notice FU/87  |
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| <a href="#"><u>18/00323/CONHI</u></a>   |  |
| <b>Funtington Parish</b><br><b>Case Officer: Sue Payne</b><br><b>Written Representation</b>   | West Stoke Farm House Downs Road West Stoke<br>Funtington Chichester West Sussex PO18 9BQ<br>Appeal against HH/22  |
|   |  |
| <a href="#"><u>20/00288/CONENG</u></a>  |  |
| <b>Funtington Parish</b><br><b>Case Officer: Tara Lang</b><br><b>Informal Hearing</b><br><b>31-Jan-2023</b><br><b>Chichester City Council</b><br><b>North Street Chichester</b><br><b>PO19 1LQ</b>    | Land West Of Newells Lane West Ashling Chichester<br>West Sussex PO18 8DD<br>Appeal against Enforcement Notice FU/77   |
|   |  |
| <a href="#"><u>19/01400/FUL</u></a>   |  |
| <b>Loxwood Parish</b><br><b>Case Officer: Martin Mew</b><br><b>Written Representation</b>   | Moores Cottage Loxwood Road Alfold Bars<br>Loxwood Billingshurst West Sussex RH14 0QS<br>Erection of a detached dwelling following demolition of free-standing garage. |
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| Reference/Procedure  | Proposal   |
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| <a href="#"><u>21/00992/FUL</u></a>  |  |
| <b>Oving Parish</b><br><b>Case Officer: Joanne Prichard</b><br><b>Written Representation</b>             | Littlemead Business Centre Tangmere Road Tangmere PO20 2EU<br><br>Erection of 10 no. new lettable E(a), E(g)(ii), (iii) and B8 units of differing sizes, including mezzanines and ancillary access slabs, onsite unallocated parking, cycle and communal bin area, planting. |
| <a href="#"><u>21/01697/PA3Q</u></a>   |  |
| <b>Plaistow And Ifold Parish</b><br><b>Case Officer: Rebecca Perris</b><br><b>Written Representation</b> | Premier Treecare & Conservation Ltd Oxencroft Ifold Bridge Lane Ifold Loxwood Billingshurst West Sussex RH14 0UJ<br><br>Prior notification for the change of use of agricultural buildings to 1 no. dwelling (C3 Use Class) with alterations to fenestration.                |
| <a href="#"><u>21/03123/FUL</u></a>  |  |
| <b>Plaistow And Ifold Parish</b><br><b>Case Officer: Sascha Haigh</b><br><b>Written Representation</b>   | Little Wephurst Walthurst Lane Loxwood RH14 0AE<br><br>Replacement dwelling following demolition of an existing dwelling.  |
| <a href="#"><u>20/00182/CONCOU</u></a>   |  |
| <b>Plaistow And Ifold Parish</b><br><b>Case Officer: Sue Payne</b><br><b>Written Representation</b>      | The Coach House Oak Lane Shillinglee Plaistow Godalming West Sussex GU8 4SQ<br>Appeal against PS/70  |
| <a href="#"><u>20/00414/CONHH</u></a>  |  |
| <b>Plaistow And Ifold Parish</b><br><b>Case Officer: Sue Payne</b><br><b>Public Inquiry</b>              | Oxencroft Ifold Bridge Lane Ifold Loxwood Billingshurst West Sussex RH14 0UJ<br>Appeal against Enforcement Notice PS/71.   |
| <a href="#"><u>20/02785/ELD</u></a>  |  |
| <b>Sidlesham Parish</b><br><b>Case Officer: Emma Kierans</b><br><b>Written Representation</b>            | Jardene Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW<br><br>Use of building 3 for B1 and B8 purposes.  |

| Reference/Procedure  | Proposal  |
|--|---|
| <a href="#"><u>21/01963/PA3Q</u></a>   |   |
| <b>Sidlesham Parish</b><br><b>Case Officer: Robert Young</b><br><b>Written Representation</b>      | 11 Cow Lane Sidlesham Chichester West Sussex PO20 7LN<br><br>Prior approval of proposed change of use of an existing agricultural building former piggery building to 1 no. dwelling.   |
| <a href="#"><u>22/00144/PNO</u></a>  |   |
| <b>Sidlesham Parish</b><br><b>Case Officer: Rebecca Perris</b><br><b>Written Representation</b>    | Chalk Lane Nursery 17A Chalk Lane Sidlesham Chichester West Sussex PO20 7LW<br><br>Erection of agricultural building.   |
| <a href="#"><u>20/02077/FUL</u></a>  |   |
| <b>Southbourne Parish</b><br><b>Case Officer: Maria Tomlinson</b><br><b>Written Representation</b> | Marina Farm Thorney Road Southbourne Emsworth Hampshire PO10 8BZ<br><br>Redevelopment of previously developed land. Removal of existing 5 no. buildings. Proposed 1 no. dwelling.   |
| <a href="#"><u>21/02238/FULEIA</u></a>   |   |
| <b>Southbourne Parish</b><br><b>Case Officer: Jane Thatcher</b><br><b>Written Representation</b>   | Gosden Green Nursery 112 Main Road Southbourne PO10 8AY<br><br>Erection of 29 no. (8 no. affordable and 21 no. open market) new dwellings, public open space, landscaping, parking and associated works (following demolition of existing buildings). |
| <a href="#"><u>21/03665/FUL</u></a>  |   |
| <b>Southbourne Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Informal Hearing</b>          | Land East Of Priors Orchard Inlands Road Nutbourne Chichester West Sussex PO18 8RJ<br><br>Construction of 9 no. dwellings.  |
| <a href="#"><u>* 20/00047/FUL</u></a>  |   |
| <b>Westbourne Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Written Representation</b>     | Hopedene Common Road Hambrook Westbourne PO18 8UP<br><br>Change use of land to a single private gypsy pitch with associated hardstanding and day room.  |

| Reference/Procedure   | Proposal   |
|---|--|
| <a href="#"><u>20/00785/FUL</u></a>   |  |
| <b>Westbourne Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Informal Hearing</b>  | Meadow View Stables Monks Hill Westbourne PO10 8SX<br><br>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 |
| <br>  |  |
| <a href="#"><u>* 20/01569/FUL</u></a>   |  |
| <b>Westbourne Parish</b><br><b>Case Officer: Jeremy Bushell</b><br><b>Informal Hearing</b><br><b>18-Oct-2022</b><br><b>Chichester City Council</b><br><b>North Street Chichester</b><br><b>PO19 1LQ</b> | Land South Of Foxbury Lane Foxbury Lane Westbourne West Sussex PO10 8RG<br><br>Erection of 1 no. dwelling and associated landscaping.  |
| <br>  |  |
| <a href="#"><u>20/03164/FUL</u></a>   |  |
| <b>Westbourne Parish</b><br><b>Case Officer: Calum Thomas</b><br><b>Informal Hearing</b><br><b>05-Oct-2022</b><br><b>St Johns Church Hall</b>   | Land East Of Monk Hill Monks Hill Westbourne West Sussex<br><br>Change of use of land to 1 no. private gypsy and traveller caravan site consisting of 1 no. mobile home, 1 no. touring caravan, 1 no. utility dayroom and associated development.  |
| <br>  |  |
| <a href="#"><u>21/02159/FUL</u></a>   |  |
| <b>Westbourne Parish</b><br><b>Case Officer: Martin Mew</b><br><b>Written Representation</b>  | Land Adjacent To 15 The Shire Long Copse Lane Westbourne West Sussex<br><br>Erection of 7 no. dwellings, access, landscaping and associated works.   |
| <br>  |  |
| <a href="#"><u>21/00169/CONDWE</u></a>  |  |
| <b>Westbourne Parish</b><br><b>Case Officer: Tara Lang</b><br><b>Public Inquiry</b><br><b>29-Nov-2022</b><br><b>Chichester District Council</b><br><b>East Pallant House PO19 1TY</b>                   | Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex<br><br>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/59  |
| <br>  |  |

| Reference/Procedure   | Proposal  |
|---|---|
| <a href="#"><u>13/00163/CONWST</u></a>  |   |
| <p><b>Westbourne Parish</b><br/> <b>Case Officer: Shona Archer</b><br/> <b>Public Inquiry</b><br/> <b>18-Oct-2022</b><br/> <b>Chichester District Council</b><br/> <b>East Pallant House PO19</b><br/> <b>1TY</b></p> | <p>The Old Army Camp Cemetery Lane Woodmancote<br/> Westbourne West Sussex<br/> Appeal against WE/40, WE/41 and WE/42</p>   |
|   |   |
| <a href="#"><u>21/00169/CONDWE</u></a>  |   |
| <p><b>Westbourne Parish</b><br/> <b>Case Officer: Tara Lang</b><br/> <b>Public Inquiry</b><br/> <b>29-Nov-2022</b><br/> <b>Chichester District Council</b><br/> <b>East Pallant House PO19</b><br/> <b>1TY</b></p>    | <p>Land South West Of Racton View Marlpit Lane Hambrook<br/> Westbourne West Sussex<br/> Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/58</p>           |
|   |   |
| <a href="#"><u>21/00169/CONDWE</u></a>  |   |
| <p><b>Westbourne Parish</b><br/> <b>Case Officer: Tara Lang</b><br/> <b>Public Inquiry</b><br/> <b>29-Nov-2022</b><br/> <b>Chichester District Council</b><br/> <b>East Pallant House PO19</b><br/> <b>1TY</b></p>    | <p>Land South West Of Racton View Marlpit Lane Hambrook<br/> Westbourne West Sussex<br/> Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/57</p>           |
|   |   |
| <a href="#"><u>21/00169/CONDWE</u></a>  |   |
| <p><b>Westbourne Parish</b><br/> <b>Case Officer: Tara Lang</b><br/> <b>Public Inquiry</b><br/> <b>29-Nov-2022</b><br/> <b>Chichester District Council</b><br/> <b>East Pallant House PO19</b><br/> <b>1TY</b></p>    | <p>Land South West Of Racton View Marlpit Lane Hambrook<br/> Westbourne West Sussex<br/> Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/52</p>           |
|   |   |
| <a href="#"><u>19/00176/CONT</u></a>  |   |
| <p><b>Westbourne Parish</b><br/> <b>Case Officer: Shona Archer</b><br/> <br/> <b>Fast Track Appeal</b></p>  | <p>4 The Paddocks Common Road Hambrook Westbourne<br/> Chichester West Sussex PO18 8UP<br/> <br/> Appeal against Enforcement Notice WE/55 - removal of TPO'd trees without an application for tree works.</p> |
|   |   |

| Reference/Procedure  | Proposal  |
|--|---|
| <a href="#"><u>21/00169/CONDWE</u></a>   |   |
| <p><b>Westbourne Parish</b><br/> <b>Case Officer: Tara Lang</b><br/> <b>Public Inquiry</b><br/> <b>29-Nov-2022</b><br/> <b>Chichester District Council</b><br/> <b>East Pallant House PO19</b><br/> <b>1TY</b></p> | <p>Land South West Of Racton View Marlpit Lane Hambrook<br/> Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/54</p> |
| <br>   |   |
| <a href="#"><u>21/00169/CONDWE</u></a>   |   |
| <p><b>Westbourne Parish</b><br/> <b>Case Officer: Tara Lang</b><br/> <b>Public Inquiry</b><br/> <b>29-Nov-2022</b><br/> <b>Chichester District Council</b><br/> <b>East Pallant House PO19</b><br/> <b>1TY</b></p> | <p>Land South West Of Racton View Marlpit Lane Hambrook<br/> Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/53</p> |
| <br>   |   |
| <a href="#"><u>21/03424/FUL</u></a>  |   |
| <p><b>Wisborough Green Parish</b><br/> <b>Case Officer: Sascha Haigh</b><br/> <b>Written Representation</b></p>  | <p>Howfold Barn, Howfold Farm, Newpound Lane<br/> Wisborough Green RH14 0EG</p> <p>Erection of 1 no. custom/self build dwelling - alternative to permission WR/20/01036/PA3Q.</p>                     |
| <br>   |   |

#### 4. VARIATIONS TO SECTION 106 AGREEMENTS

CC/22/01880/OBG – West of Chichester Strategic Development Location Phase 1

The S106 agreement pursuant to the outline planning permission for Phase 1 requires, amongst other things, retail provision of an unspecified size to be built to 'shell and core finish' (i.e. ready to be fitted out) prior to first occupation of the 325th dwelling. However, the agreement does provide for an alternative trigger point to be agreed in writing with the Council.

Following the outline consent Reserved Matters approval was granted for a 370m<sup>2</sup> retail unit (with flats above) located on the eastern side of the Local Centre's public square (CC/21/00460/REM refers). The applicants have confirmed that they are in advanced discussions with a national convenience store operator that wishes to occupy the premises. However, the operator has stated that it will not open the unit until around 700 dwellings on the site have been occupied. By this time both the nearby school and community building will be in operation (both have 500th occupation triggers) and, accordingly, the operator considers that at this point there will be sufficient footfall to support a viable store. Accordingly, in order to both better align the construction of the retail unit with the adjacent Local Centre components and avoid the scenario of a vacant retail unit being in situ for a lengthy period of time prior to it opening, the applicants requested that the trigger for delivery be changed to occupation of the 500th dwelling.

Although the City Council raised concerns about the change, the Council's Economic Development Officer accepts the commercial justification for the change in trigger and supports the proposal. Based on current build rates the revised trigger represents a relatively short delay to the originally anticipated provision of the retail unit and, accordingly, the applicants were advised in writing on 1st September 2022 of the Council's agreement to the revised delivery trigger.

#### 5. CALLED-IN APPLICATIONS

| Reference | Proposal | Stage |
|-----------|----------|-------|
|           |          |       |

#### 6. COURT AND OTHER MATTERS

| Injunctions           |  |  |
|-----------------------|--|--|
| Site                  | Breach                                       | Stage  |
| Birdham Farm, Birdham | Failure to comply with 4 Enforcement Notices | Injunction granted in 2020 and amended in August 2021 by extending the deadlines for compliance. All plots vacated but 3 and counsel instructed to consider contempt of court proceedings. Recent site visit undertaken and outcome of this is being addressed in affidavit for counsel's attention. |

| <b>Court Hearings</b>   |                              |  |
|-------------------------|------------------------------|--|
| <b>Site</b>             | <b>Matter</b>                | <b>Stage</b>   |
| Oakham Farmhouse, Oving | Breach of Enforcement Notice | Proceedings withdrawn in the Interest of Justice as compliance has been achieved and breach rectified. |

| <b>Prosecutions</b>                 |  |   |
|-------------------------------------|--|---|
| <b>Site</b>                         | <b>Breach</b>  | <b>Stage</b>  |
| Crouchlands Farm, Lagoon 3, Loxwood | Failure to comply with the requirements of an Enforcement Notice | Proceedings on hold further to counsel's advice. Environment Agency has written to the owner to explain what is required to discharge the contents of the Lagoon prior to the removal of its structure. Matter to be reviewed towards the end of September. |

## **7. POLICY MATTERS**