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Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 8 February 2023 at 9.30 am

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

In attendance by invitation:

Officers present: Miss D Smith (Development Manager (Applications)), Mrs S Archer (Enforcement Manager), Miss J Bell (Development Manager (Majors and Business)), Miss N Golding (Principal Solicitor), Mr M Mew (Principal Planning Officer), Ms J Thatcher (Senior Planning Officer, Majors and Business) and Mrs F Baker (Democratic Services Officer)

55 **Chairman's Announcements**

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

Apologies were received from Cllr Graeme Barrett and Cllr Judy Fowler.

56 **Approval of Minutes**

Following a vote, the minutes of the meeting held on Wednesday 4 January 2023 were agreed as a true and accurate record.

57 **Urgent Items**

There were no urgent items.

58 **Declarations of Interests**

Mrs Johnson declared a personal interest in;

- Agenda Item 5 – SY/22/00126/FUL – as a member of West Sussex County Council and Selsey Town Council

Mr Oakley declared a personal interest in;

- Agenda Item 5 – SY/22/00126/FUL – as a member of West Sussex County Council

Mrs Purnell declared a personal interest in;

- Agenda Item 5 – SY/22/00126/FUL – as a member of Selsey Town Council

Mrs Sharp declared a personal interest in;

- Agenda Item 5 – SY/22/00126/FUL – as a member of West Sussex County Council

59 **SY/22/00126/FUL - Cormorant, 43 Clayton Road, Selsey, PO20 9DF**

Mr Mew introduced the report. He outlined the site location and informed the Committee that the application site was located within the settlement boundary of Selsey.

Mr Mew presented the proposed site plan and confirmed that the current access would be maintained. He drew attention to the existing building footprint, showing how it was both similar in depth and width to the proposed development. The Committee were also shown the proposed layout and elevations.

Mr Mew outlined the differences between the existing development, proposed application and the application which had been previously refused. He explained that following previous refusal the owner had sought Pre-Application advice to develop the proposed application. It was important to note that there was a significant drop in the eaves and ridge height of the proposed development compared with the refused scheme; and the development had been moved further back from the boundary edge.

The Committee were shown a series of photographs of the location and surrounding area.

There were no representations.

Officers responded to comments and questions as follows;

Mr Mew clarified where the application site was in the photographs shown, he explained there was an outbuilding located in front of number 45, with the main dwelling set back behind the outbuilding.

Mr Mew acknowledged comments made regarding the cumulative impact on the skyline of the street.

With regards to a condition being attached to prevent future business use, specifically holiday lets; Mr Mew explained that it would not be reasonable to attach such a condition as the existing property could already be used in this way.

In response to concerns regarding overlooking to number 45 from the Juliette balcony; Mr Mew informed the Committee that the Juliette Balcony did not create a raised platform and plans showed obscure glazed windows to the neighbouring property.

Following a vote, the Committee voted in favour of the report recommendation to **Permit**.

Resolved; **Permit**, subject to the conditions and information set out in the report, plus the additional conditions as set out above.

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

Cllr Purnell drew attention to the Agenda Update Sheet which included an update on High Court Hearings at Bethwines Farm, Blackboy Lane, Fishbourne, Chichester, West Sussex, PO18 8BL

The Committee agreed to note the item.

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

The Committee agreed to note the item.

62 **Schedule of Contraventions**

Mrs Archer introduced the report. She drew attention to the table on page 49 and highlighted that since the last report the case load had decreased by 73 to 418 cases on hand.

In response to a question from Cllr Oakley; Mrs Archer informed the Committee that it was around three months waiting time for a court hearing. She explained that the Courts had changed very much since Covid, for example the process for swearing an affidavit.

With regards to 17, Nettleton Avenue; Mrs Archer noted that there had been no compliance yet.

Cllr Wilding enquired why the enforcement notice had been withdrawn from Smugglers Cottage, Lurgashall; Mrs Archer explained that when the Planning Inspectorate grant planning permission under a Section 78 appeal, then there is no further requirement for enforcement action and the notice is withdrawn.

In response to a question from Cllr Briscoe, Mrs Archer explained why partial costs had been awarded against the Council at the Old Army Camp, Westbourne.

Mrs Archer acknowledged concerns regarding Racton View, she explained the gates would be the subject of a public interest test as they had been reduced in height to what was allowed under permitted development.

Following a vote, the Committee agreed to note the item.

63 Consideration of any late items as follows:

There were no late items.

64 Exclusion of the Press and Public

Cllr Purnell proposed the Part II resolution in relation to Agenda Item 11 on the grounds of exemption in Schedule 12A namely paragraph 5 and not paragraph 3 as stated on the agenda. This was seconded by Cllr Brisbane.

In a vote the following resolution was agreed;

That in respect of Agenda Item 11 that the public including the press should be excluded from the meeting on the grounds of exemption in Schedule 12A to the Local Government Act 1972 namely paragraph 5 (as the item relates to information of which a claim to legal professional privilege could be maintained in legal proceedings) and because in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

65 Planning Appeal APP/L3815/W/3305923 - Cockleberry Farm, Main Road, Chichester

Ms Thatcher introduced the report and explained why the recommendation was proposed.

Comments and questions were received from Cllr's Oakley, Potter, Rodgers, and Purnell. Ms Bell and Ms Thatcher responded.

Following a vote, the Committee agreed to make the recommendation set out in 2.1 of the report.

Resolved; Not to contest reason for refusal 2, specifically:

- **Not to contest reason for refusal 2 in relation to existing ditch maintenance**
- **To continue to contest reason for refusal 1 in relation to loss of employment land**

- **To maintain the need for appropriate mitigation for recreational disturbance and nitrate neutrality via legal agreement and conditions in relation to reason for refusal 3.**

The meeting ended at 10.46 am

CHAIRMAN

Date:

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