



Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 1 March 2023 at 9.30 am

**Members Present:** Mrs C Purnell (Chairman), Rev J H Bowden, Mr R Briscoe, Mrs J Fowler, Mrs D Johnson, Mr G McAra, Mr S Oakley, Mr H Potter, Mr D Rodgers and Mr P Wilding

**Members not present:** Mr B Brisbane, Mr G Barrett and Mrs S Sharp

**In attendance by invitation:**

**Officers present:** Miss J Bell (Development Manager (Majors and Business)), Miss N Golding (Principal Solicitor), Mrs C Potts (Planning Policy Team Leader), Miss D Smith (Development Manager (Applications)), Mrs F Stevens (Divisional Manger for Planning), Miss S Haigh (Planning Officer), Mr C Thomas (Senior Planning Officer) and Mrs F Baker (Democratic Services Officer)

#### 66 **Chairman's Announcements**

The Chairman welcomed everyone present to the meeting and read out the emergency evacuation procedure. She explained that due to a technical fault the meeting was not being livestreamed.

Apologies were received from Cllr's Barrett, Brisbane and Sharp

#### 67 **Approval of Minutes**

Following a vote, the minutes of the meeting held on Wednesday 8 February 2023, were agreed as a true and accurate record.

#### 68 **Urgent Items**

The Chairman informed the Committee that she had received a letter from the National Trust in respect of Planning Application D/21/00997/FUL - Donnington Manor Farm Selsey Road Donnington PO20 7PL.

She read the letter to Committee which expressed their disappointment that the Committee had gone against officer recommendation and allowed the application.

They noted the conditions attached to the permission and encouraged the Council to ensure these were adhered to.

There were no further urgent items.

69 **Declarations of Interests**

There were no Declarations of Interest.

70 **CC/22/01982/FUL - Rawmere, Rew Lane, Chichester, West Sussex, PO19 5QH**

Miss Haigh introduced the report. She outlined the site location and highlighted the level of landscaping which was already in place. The field was currently used for the grazing of sheep, and it was the applicant's intention for sheep to continue grazing the land once the solar panels were installed.

Miss Haigh explained that to the east of the site there was a Public Right of Way (prow), and also a Scheduled Ancient Monument. She confirmed the site was well screened from the prow and not very visible. Due to the close proximity of the scheduled ancient monument the council archaeologist had conducted a site visit and raised no objection, although they had requested Condition 3 be included as part on the recommendation.

Miss Haigh showed the Committee the proposed block layout and informed them that the proposal was for 26 ground mounted solar panels. The panels would be installed at a 30 degree angle and be 2.5m at their highest point. She explained that it was not possible to install the panels within the curtilage of the dwelling due to shading and available space. She confirmed the applicant owned both the field and dwelling.

Representations were received from;

Mr Philip Scott - Applicant

Officers responded to comments and questions as follows.

In response to concerns regarding the future removal of trees to prevent shading; the Chairman used her discretion and invited the applicant to answer, Mr Scott informed the Committee that he had no intention to remove any of the trees surrounding the site. Some trees had been removed but this was due to ash dieback and disease, not to support solar panels.

In addition, Miss Smith advised it would be unreasonable, at this stage to consider a TPO as the trees were not currently protected and could be removed without the need for any form of consent.

With regards to a hardstanding being installed to support maintenance; Miss Haigh confirmed that there was no hardstanding proposed as part of the application. She

explained the cables for the panels would be installed below ground at a depth which would allow crops to be grown on the field if required.

Following a vote, the Committee supported the report recommendation to **Permit**.

Resolved; **Permit**, subject to the conditions and informatives set out in the report.

71 **CC/22/03036/ADV - St James Industrial Estate Westhampnett Road  
Chichester West Sussex PO19 7JU**

Mr Thomas introduced the report. He drew attention to the Agenda Update Sheet which included an amendment to paragraph 3.1.

Mr Thomas outlined the site location and highlighted where the sign would be installed (there were currently two posts already installed).

The Committee were shown an example of what the sign would look like once installed.

There were no representations.

Officers responded to comments and questions as follows.

On the matter of additional lighting; Mr Thomas confirmed the sign was not illuminated and there would be no additional lighting installed as a part of the application.

Following a vote, the Committee supported the report recommendation to **Permit**.

Resolved; **Permit**, subject to the conditions and informatives set out in the report.

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

The Chairman drew attention to the Agenda Update sheet which included an update on High Court Hearings at Bethwines Farm, Blackboy Lane, Fishbourne.

The Committee agreed to note the item.

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

The Committee agreed to note the item.

*\*Members took a 10 minute break*

74 **Planning Appeal APP/L3815/W/22/3313480 - Land South West of Willets Way  
Loxwood West Sussex**

Mr Thomas introduced the report. He drew attention to the Agenda Update sheet which updated the proposed report recommendation to

That the Planning Committee;

- i) Notes the information within the report, and
- ii) Agrees that the Council does not contest the appeal, **subject to planning conditions and securing a completed legal agreement.**

Mr Thomas explained the Committee were not being asked to determine the application, but whether the Council should contest or not contest (as officer recommendation) the appeal against non-determination of the application.

He reminded the Committee of the reasons for the applications deferral at Planning Committee on 5 October 2022. The Committee undertook a site visit on Monday 27 February 2023. He confirmed additional information had been provided regarding the ownership of the site and surrounding land and the water neutrality mitigation.

Mr Thomas outlined the appeal site and showed the proposed layout and street scene.

Mr Thomas explained the proposed SUDs scheme would be recommended for inclusion as a condition to the Planning Inspector. The water neutrality mitigation was off site at a location in Slinfold and would be secured through a legal agreement, which would also include Horsham District Council.

Mr Thomas concluded it was officer opinion that the appeal should not be contested.

Representations were received from;

Mrs Kate Smalley – Objector

Mr Guy Carey – objector (statement read by Mrs Fiona Baker

Mr Ben Evans – Applicant

Officers responded to comments and questions as follows;

Mr Thomas agreed the informative on foul water requested by Southern Water could be included as a condition in the recommendation to the Planning Inspector. A condition on external lighting could also be included within the recommendation to the Planning Inspector.

With regards to the weight carried by the Neighbourhood Plan; Mr Thomas explained that because the Council did not have a 5-year housing land supply (5YHLS) the 'tilted balance' was engaged, and the weight afforded to the Neighbourhood Plan was limited. This meant that when a sustainable site (even if

not allocated within the neighbourhood plan) comes forward, unless demonstrable harm can be evidenced, then it should be allowed.

Ms Stevens confirmed the site would not be classed as windfall and would count towards the housing figures.

Following a vote, the report recommendation was not carried.

Cllr Bowden proposed that the Committee contest the appeal for the following reasons;

- The Committee were not able to determine the application at the time as the water neutrality mitigation had not been agreed
- The site was outside the Neighbourhood Plan
- The site had been artificially sub-divided
- The remaining site would not be suitable to continue for equestrian use

Officers advised the Committee why it would be difficult for the Council to defend the reasons put forward by Cllr Bowden. Cllr Bowden's proposal received no seconder.

Further debate took place, following which the Chairman proposed that the Council does not contest the appeal, subject to securing a Section 106 agreement. (Planning conditions (including the additional conditions for both sewage and lighting) would be suggested to the Inspector in the usual way).

This was seconded by Cllr Potter.

Following a vote, the Committee agree to support the Chairman's proposal.

**Resolved;**  
**That the Council does not contest the appeal, subject to securing a S106 agreement.**

## 75 **NPPF Consultation Report**

The Chairman introduced the report and informed the Committee any comments already received had been noted by officers.

They invited members of the Committee to ask questions in number order.

Ms Bell agreed to include the additional wording in the Q7, following comment from Cllr Oakley;

*'...there is no information **and a lack of definition...**'*

Cllr Bowden asked if further comment could be included within the response to Q22 regarding the balance between providing affordable housing and the additional stress.

Ms Bell agreed to liaise with the affordable housing team to understand whether it was more difficult to deliver Community Led Housing in places like the National Park. Dependent on their answer an additional sentence would be included in the response to either question 27 or 29 if appropriate.

Following a vote, the Committee agreed to make the proposed recommendation.

**Resolved; that the Planning Committee consider and agree the attached responses to the consultation questions for submission in response to the government consultation on ‘Levelling-up and Regeneration Bill; reforms to national planning policy’**

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

There were no late items.

77 **Exclusion of the Press and Public**

There were no part two items.

The meeting ended at 11.37 am

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CHAIRMAN

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Date: