

Chichester District Council Planning Committee

Thursday 25 May 2023

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

Appeals, Court and Policy Matters

between 01-04-2023 - 02-05-2023

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
<u>22/02821/FUL</u>	
Fishbourne Parish Case Officer: Sascha Haigh Written Representation	112 Fishbourne Road West Fishbourne West Sussex PO19 3JR Demolishment of existing dwelling replaced with 5 no. apartments and change of use of existing outbuilding to create 1 no. two-bedroom dwelling with alterations to fenestration, 1 no. bike/bin store, alterations to access, parking, landscaping and associated works.
* <u>21/02895/FUL</u>	
Selsey Parish Case Officer: Emma Kierans Written Representation	The Boulevard 3 New Parade High Street Selsey Chichester West Sussex PO20 0QA Retention of canopy to shopfront.

2. DECISIONS MADE

Reference/Procedure	Proposal
22/02090/DOM	
Selsey Parish Case Officer: Emma Kierans Fast Track Appeal	36 Fontwell Road Selsey Chichester West Sussex PO20 0PE New garage to front of property.
Appeal Decision: APPEAL DISMISSED	
<p>"The appeal is dismissed. Its adjacent grass verge would have the timber close board fencing and hedging as noted above and this in its own right would be uncomfortable visually and run contrary to the general scene. The garage protrusion forward of the front build line, set at an awkward angle to the swelling would look most strangely positioned. It would be jarring to the eye and simply look out of place.For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality. Accordingly, the appeal is dismissed."</p>	

3. IN PROGRESS

Reference/Procedure	Proposal
<u>* 20/02066/OUT</u>	
Birdham Parish Case Officer: Jeremy Bushell Informal Hearings 05-Jul-2023 Chichester District Council East Pallant House PO19 1TY	Koolbergen, Kelly's Nurseries And Bellfield Nurseries Bell Lane Birdham Chichester West Sussex PO20 7HY Outline Application with all matters reserved apart from access for the erection of up to 73 dwellings, open space and associated works, Class E(g) employment floorspace and Class E(a) retail floorspace.
<u>21/03659/FUL</u>	
Bosham Parish Case Officer: Rebecca Perris Written Representation	Bosham Reach Shore Road Bosham PO18 8QL Change of use of land to residential curtilage and construction of hard surfaced tennis court.
<u>20/00040/CONENG</u>	
Chichester Parish Case Officer: Mr Michael Coates-Evans Written Representation	Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex Appeal against CC/154
<u>20/03320/OUTEIA</u>	
Chidham & Hambrook Parish Case Officer: Jane Thatcher Public Inquiry 15-19 May, 5-6 June and 12-16 June 2023 at Emsworth Baptist Church North Street Emsworth PO10 7BY	Land East Of Broad Road Broad Road Nutbourne West Sussex Outline planning application (with all matters reserved except access) for up to 132 dwellings and provision of associated infrastructure.
<u>20/03321/OUTEIA</u>	
Chidham & Hambrook Parish Case Officer: Jane Thatcher Public Inquiry 15-19 May, 5-6 June and 12-16 June 2023 at Emsworth Baptist Church North Street Emsworth PO10 7BY	Land North Of A259 Flat Farm Main Road Chidham West Sussex Outline planning application (with all matters reserved except access) for up to 68 no. dwellings and provision of associated infrastructure.

Reference/Procedure	Proposal
<u>20/03378/OUT</u>	
<p>Chidham & Hambrook Parish Case Officer: Andrew Robbins Informal Hearings 25-Jul-2023 at Chichester District Council East Pallant House PO19 1TY</p>	<p>Land At Flat Farm Hambrook West Sussex PO18 8FT</p> <p>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.</p>
<u>* 21/02303/OUT</u>	
<p>Chidham & Hambrook Parish Case Officer: Calum Thomas Informal Hearings</p>	<p>Caravan And Camping Site Orchard Farm Drift Lane Bosham Chichester West Sussex PO18 8PP</p> <p>Outline Application (with all matter reserved accept Access) for the demolition of caravan repair building, cessation of use of land for caravan storage and removal of hardstandings and erection of 1no 4bed, 3no 3 bed, 4no 2bed and 1no 1 bed bungalows.</p>
<u>* 21/02361/FUL</u>	
<p>Chidham & Hambrook Parish Case Officer: Jane Thatcher Written Representation</p>	<p>Cockleberry Farm Main Road Bosham Chichester West Sussex PO18 8PN</p> <p>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.</p>
<u>22/01366/FUL</u>	
<p>East Wittering And Bracklesham Parish Case Officer: Calum Thomas Written Representation</p>	<p>Land To Rear Of Co-Op Store Bracklesham Lane Bracklesham Bay West Sussex</p> <p>1 no. detached dwelling (plot 1).</p>
<u>22/01367/FUL</u>	
<p>East Wittering And Bracklesham Parish Case Officer: Calum Thomas Written Representation</p>	<p>Land To Rear Of Co-Op Store Bracklesham Lane Bracklesham Bay West Sussex</p> <p>1 no. dwelling.</p>

Reference/Procedure	Proposal
<u>* 19/00445/FUL</u>	
Funtington Parish Case Officer: Martin Mew Written Representation	Land South East Of Tower View Nursery West Ashling Road Hambrook Funtington West Sussex 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.
<u>19/02939/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings	Old Allotment Site Newells Lane West Ashling West Sussex Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding.
<u>20/00234/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings	Land West Of Newells Lane West Ashling PO18 8DD 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.
<u>20/00950/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding and associated landscaping.
<u>20/00956/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex Change use of land to residential for the stationing of caravans for Gypsy Travellers including stable, associated infrastructure and development.

Reference/Procedure	Proposal
<u>20/03306/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings	Land To The West Of Newells Farm Newells Lane West Ashling West Sussex The stationing of caravans for residential purposes together with the formation of hardstanding and utility/dayrooms ancillary to that use for 3 no. pitches.
<u>21/03546/DOM</u>	
Funtington Parish Case Officer: Rebecca Perris Written Representation	Densworth House Funtington Road East Ashling Chichester West Sussex PO18 9AP Extension and change use of existing garage creating ancillary self-contained annexe.
<u>20/00288/CONENG</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearings	Land West Of Newells Lane West Ashling Chichester West Sussex PO18 8DD Appeal against Enforcement Notice FU/77
<u>21/00152/CONTRV</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearings	Land West Of Newells Farm Newells Lane West Ashling West Sussex Appeal against Enforcement Notice FU/87
<u>20/00109/CONTRV</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearings	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex Appeal against Enforcement Notice FU/80
<u>20/00288/CONENG</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearings	Land West Of Newells Lane West Ashling Chichester West Sussex PO18 8DD Appeal against Enforcement Notice FU/89
<u>18/00323/CONHI</u>	
Funtington Parish Case Officer: Sue Payne Written Representation	West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ Appeal against HH/22

Reference/Procedure	Proposal
<u>21/02428/FUL</u>	
Linchmere Parish Case Officer: Calum Thomas Written Representation	Land North Of 1 To 16 Sturt Avenue Camelsdale Linchmere West Sussex GU27 3SJ 9 no. new dwelling houses and 9 no. carports/studios with associated access, infrastructure, parking and landscaping.
<u>19/01400/FUL</u>	
Loxwood Parish Case Officer: Martin Mew Written Representation	Moores Cottage Loxwood Road Alfold Bars Loxwood Billingshurst West Sussex RH14 0QS Erection of a detached dwelling following demolition of free-standing garage.
<u>* 21/02849/FUL</u>	
Loxwood Parish Case Officer: Calum Thomas Written Representation	Land South West Of Willets Way Willetts Way Loxwood West Sussex 5 no. residential dwellings, vehicular and pedestrian access and hard and soft landscaping.
Reference/Procedure	Proposal
Loxwood Parish Case Officer: Sascha Haigh Written Representation	Mill House Farm Drungewick Lane Loxwood Billingshurst West Sussex RH14 0RS Proposed change of use from agricultural buildings to 4 dwellings - (C3 Use class); Class Q (a).
<u>22/00637/PA3Q</u>	
Loxwood Parish Case Officer: Sascha Haigh Written Representation	Mill House Farm Drungewick Lane Loxwood Billingshurst West Sussex RH14 0RS Proposed change of use from agricultural building to 1 dwelling - (C3 Use class).
<u>22/01565/ELD</u>	
Loxwood Parish Case Officer: Emma Kierans Informal Hearings	Loxwood Farm Brewhurst Lane Loxwood West Sussex RH14 0RJ Existing lawful development use of land as garden curtilage.

Reference/Procedure	Proposal
<u>22/00073/FUL</u>	
Oving Parish Case Officer: Emma Kierans Written Representation	Land At 1 New Cottages Coach Road (South) Shopwhyke Oving Chichester West Sussex PO20 2BG Proposed 2 storey detached 2 bedroom dwelling.
<u>21/01697/PA3Q</u>	
Plaistow And Ifold Parish Case Officer: Rebecca Perris Written Representation	Premier Treecare & Conservation Ltd Oxencroft Ifold Bridge Lane Ifold Loxwood Billingshurst West Sussex RH14 0UJ Prior notification for the change of use of agricultural buildings to 1 no. dwelling (C3 Use Class) with alterations to fenestration.
<u>20/00414/CONHH</u>	
Plaistow And Ifold Parish Case Officer: Sue Payne Public Inquiry	Oxencroft Ifold Bridge Lane Ifold Loxwood Billingshurst West Sussex RH14 0UJ Appeal against Enforcement Notice PS/71.
<u>20/00182/CONCOU</u>	
Plaistow And Ifold Parish Case Officer: Sue Payne Written Representation	The Coach House Oak Lane Shillinglee Plaistow Godalming West Sussex GU8 4SQ Appeal against PS/70
<u>22/00606/FUL</u>	
Selsey Parish Case Officer: Emma Kierans Written Representation	21 Vincent Road Selsey Chichester West Sussex PO20 9DQ Erection of 1 no. 2 bed bungalow (resubmission of SY/21/01820/FUL).
<u>20/02785/ELD</u>	
Sidlesham Parish Case Officer: Emma Kierans Written Representation	Jardene Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW Use of building 3 for B1 and B8 purposes.

Reference/Procedure	Proposal
<u>22/00094/FUL</u>	
Sidlesham Parish Case Officer: Emma Kierans Written Representation	Lockgate Nursery 72 Lockgate Road Sidlesham Chichester West Sussex PO20 7QQ Demolition of existing redundant greenhouse and construction of 2 no. detached 3 bedroom chalet bungalows.
<u>22/01038/PA3Q</u>	
Sidlesham Parish Case Officer: Sascha Haigh Written Representation	Butskiln Street End Road Sidlesham Chichester West Sussex PO20 7QD Change of use of agricultural building to form 1 no. dwelling (Use Class C3) and associated operational development.
<u>20/02077/FUL</u>	
Southbourne Parish Case Officer: Martin Mew Written Representation	Marina Farm Thorney Road Southbourne Emsworth Hampshire PO10 8BZ Redevelopment of previously developed land. Removal of existing 5 no. buildings. Proposed 1 no. dwelling.
<u>* 22/01283/FULEIA</u>	
Southbourne Parish Case Officer: Andy Robbins Public Inquiry 11-Jul-2023 Emsworth Baptist Church North Street Emsworth PO10 7BY	G And R Harris Main Road Nutbourne Chichester West Sussex PO18 8RL Demolition and mixed use development comprising 103 no. dwellings and a Childrens' Nursery, together with associated access, parking, landscaping (including provision of wildlife corridor) and associated works.
<u>19/00103/CONCOU</u>	
Southbourne Parish Case Officer: Mr Michael Coates-Evans Written Representation	Thornham Marina Thornham Lane Southbourne Emsworth Hampshire PO10 8DD Appeal against SB/124
<u>21/03110/FUL</u>	
West Wittering Parish Case Officer: Sascha Haigh Written Representation	43 Marine Close West Wittering PO20 8HG Demolition of existing dwelling and erection of replacement dwelling.

Reference/Procedure	Proposal
<u>20/03164/FUL</u>	
<p>Westbourne Parish Case Officer: Calum Thomas Informal Hearings</p>	<p>Land East Of Monk Hill Monks Hill Westbourne West Sussex</p> <p>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.</p>
<u>19/00176/CONT</u>	
<p>Westbourne Parish Case Officer: Shona Archer Fast Track Appeal</p>	<p>4 The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP</p> <p>Appeal against Enforcement Notice WE/55 - removal of TPO'd trees without an application for tree works.</p>
<u>21/03135/FUL</u>	
<p>Wisborough Green Parish Case Officer: Calum Thomas Written Representation</p>	<p>Land Adjacent To 1 Newfields Newpound Wisborough Green RH14 0AX</p> <p>Change use of land to private gypsy and traveller caravan site consisting of 1 no. pitch.</p>

4. VARIATIONS TO SECTION 106 AGREEMENTS

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham, Birdham Road	Of 4 Enforcement Notices	Injunction granted by the High Court to leave the land. All occupants have left but 5. Contempt of Court proceedings commenced for breach of the Injunction. Applications for the hearing made and waiting for the High Court to provide a date.

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage
Crouchlands – Lagoon 3, Loxwood	Breach of Enforcement Notice	Not guilty plea entered in April 2023. Matter adjourned to Trial on 23 August 2023 at 10:00
Birdham Farm, Chichester	Breach of Enforcement Notice	First hearing on 19/5/23 at Brighton Magistrates' Court.
The Old Army Camp, Woodmancote	Breach of Enforcement Notice	First Hearing on 4/7/23 at Crawley Magistrates' Court
Land South of The Stables, Hambrook	Breach of Enforcement Notice	No plea entered on previous occasion as Defendant said he's made an application to regularize use of the land. Matter adjourned to 15/6/23 at Crawley Magistrates' Court to be withdrawn or to proceed if application is not granted.

7. POLICY MATTERS