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Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 4 October 2023 at 9.30 am

Members Present: Mr C Todhunter (Chairman), Mr J Cross (Vice-Chairman), Mr R Bates, Mr D Betts, Mr R Briscoe, Ms B Burkhart, Mrs H Burton, Mr S Johnson, Mr H Potter and Ms S Quail

Members not present: Mr J Brookes-Harmer, Mrs D Johnson and Mrs S Sharp

In attendance by invitation:

Officers present: Mrs F Stevens (Divisional Manger for Planning), Miss N Golding (Principal Solicitor), Miss J Bell (Development Manager (Majors and Business)), Stephens (Development Manager (Applications)), Smith (Development Manager (Applications)), Mr M Mew (Principal Planning Officer), Ms J Thatcher (Senior Planning Officer, Majors and Business), Mr C Thomas (Senior Planning Officer) and Midlane-Ward (Assistant Planning Officer)

88 **Chairman's Announcements**

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

Apologies were received from Cllr's Brookes-Harmer, D Johnson and Sharp.

89 **Urgent Items**

There were no urgent items.

90 **Declarations of Interests**

Cllr S Johnson declared a predetermination in Agenda Item 4 – SB/21/01910/OUT as he had already voted on the application when Chidham & Hambrook Parish Council had considered it.

Cllr Quail declared a personal interest in;
Agenda Item 7 – CC/23/01322/ADV – as a member of Chichester City Council

**SB/21/01910/OUT - Willowbrook Riding Centre Hambrook Hill South
Hambrook Chidham PO18 8UJ**

Having declared a predetermination in this item Cllr S Johnson withdrew from the table and moved to the Public Gallery.

Miss Thatcher introduced the report and drew attention to the Agenda Update sheet which included two additional representations. Miss Thatcher informed the Committee that Cllr Brown had also circulated some information regarding the modified Southbourne Neighbourhood Plan (copies of which had been uploaded on the planning portal).

Miss Thatcher reminded the Committee that the application had been in the system for two years and deferred twice by the Committee. The second deferral was for a site visit which was undertaken by the committee on Monday 2 October.

Miss Thatcher went over the objection raised by the West Sussex County Council Lead Local Flood Authority (LLFA) and how the applicant had addressed their concerns. The LLFA had since reviewed the proposed mitigations and were satisfied that these would address their concerns, as such they had withdrawn objection.

Miss Thatcher informed the Committee that the bold paragraphs in the report represented updates that had been received since it first came to Committee.

Miss Thatcher outlined the site location and highlighted the proximity of other sites which had recently been allowed at appeal.

Miss Thatcher highlighted the chalk stream and the proposed area of land which would be used for nitrate mitigation. Miss Thatcher informed the Committee that Natural England did not agree with the negative HRA produced by the council and were satisfied that adequate mitigation could be secured through conditions.

Miss Thatcher detailed the proposed access arrangements and confirmed that WSCC highways had raised no objections.

Miss Thatcher reminded the Committee that Nutbourne and Hambrook were Service Villages hub as identified in both the Local Plan and emerging Local Plan. Recent appeal decisions showed the Planning Inspectorate did consider the area to be a sustainable location.

The site was identified in the HEELA and as the council did not have a 5YHLS the tilted balance was engaged in favour of allowing the development.

Representations were received from;

Cllr Amanda Tait – Southbourne Parish Council

Cllr Jane Towers – Chidham & Hambrook Parish Council

Mr Andy Sargent – Objector

Mr Stephen Johnson – Objector (upon completing his statement Mr S Johnson withdrew from the room)

Mrs Penelope Gibson – Objector
Faye Goodson – Applicant
Cllr Oona Hickson – CDC Member
Cllr Jonathan Brown – CDC Member
Cllr Adrian Moss – CDC Member

Officers responded to comments and questions as follows;

On the matter of the emerging Southbourne Neighbourhood Plan; Mrs Stevens informed the Committee that there was no definite date as to when the examiners report for the Southbourne Neighbourhood Plan would be received, in addition, there was information to suggest how the examiner would judge the plan. She reminded the Committee that the application being considered had been with the council for two years, the applicant had agreed an extension of time which expired on 13 October 2023, after which they would likely appeal on the grounds of non-determination.

With regards to the weight of the emerging NHP; Mrs Stevens confirmed that the emerging NHP at its current stage carried a moderate weight.

Regarding the loss of employment and riding tourism; Miss Thatcher drew the Committee's attention to page 100, paragraph 8.52 which considered this issue. The riding school employed only 1FTE and 1PTE therefore, whilst regrettable the potential loss of employment was minimal. In addition, the owners of the site were past retirement age and would close the riding school at some point in the future.

Responding to concerns regarding ecological damage; Mr Day acknowledged the concerns raised; however, he reminded the Committee that Natural England had not supported the council's negative HRA and the proposed conditions secured the best mitigation measures possible. The Strategic Wildlife Corridors were not adopted policy and would be hard to defend at appeal.

With regards to the chalk stream; Mr Day explained that the chalk streams were not granted any protected status. Natural England were satisfied that any potential impacts could be mitigated and secured through condition.

Regarding the additional impact on the highway network; Mr Brown, WSCC Highways, informed the Committee that a TRICS survey had been completed as part of the application process which confirmed there was capacity at the junction with Broad Road. The submitted transport assessment had suggested there would be approximately one vehicle movement every 5 minutes.

Regarding highway safety; Mr Brown explained there had been three issues identified as part of the road safety audit, however, these had been addressed through discussions between highways and the developer. Therefore, subject to securing the proposed conditions WSCC highways have raised no objections to the application.

On the matter of flood risk; Miss Bell reminded the Committee that the LLFA had raised no objection, subject to securing mitigation measures via condition. She

confirmed that all aspects of flood risk had been assessed including climate change data.

Miss Bell explained that the statutory bodies did not believe there would be any flood risk created downstream. The site was in floodzone 1 and as such did not have to undertake any sequential/exception test. She advised the Committee that there would be no grounds for refusing the application due to potential flood risk from the development.

On the matter of sewage; Miss Thatcher explained the sewage network would be sealed and elevated above the ground to prevent surface water from entering the network. A pump wet well, was included as part of the application to provide 24-hour storage should there be any back up in the sewage network. A 24/7 monitor would also be installed to mitigate any risk of surcharge into the chalk stream. Southern Water had confirmed that there was capacity for the development at the Thornham wastewater treatment facility.

With regards to the A27; Mr Brown drew the Committee's attention to page 36 of the report, which confirmed that National Highways had no objection to the proposal.

On the matter of HGV's; Mr Brown confirmed that highway officer had undertaken a site visit and confirmed that there were no concerns raised regarding the access strategy.

Responding to concerns that the site was not sustainable; Miss Thatcher advised the Committee that the Planning Inspector had allowed recent appeal sites such as Chaswood and Scant Road, as they were considered to be in a sustainable location.

Mrs Stevens advised the Committee that there were no reasonable grounds for refusing the application due to prematurity of the Southbourne Neighbourhood Plan. She agreed that SP13 would carry greater weight as the NHP progressed.

Cllr Briscoe proposed that the application be deferred for further information and to allow the publication of the Examiners report for the Southbourne Neighbourhood Plan.

Cllr Bates seconded the proposal.

Following a vote, the Committee agreed to support the recommendation to **defer** for further information.

Resolved; **defer for further information** and to allow the Examiners report for the Southbourne neighbourhood plan to be published.

**Members took a ten-minute break*

**SB/22/00593/FUL - Land South of West View Cottages South Lane
Southbourne West Sussex PO10 8QE**

Mr Thomas introduced the item and drew attention to the Agenda Update Sheet which included an amendment to Condition 1.

Mr Thomas outlined the site application which was located within Southbourne Parish. Whilst the site was not within the settlement boundary it was contiguous with the boundary and would sit between existing residential properties to both the north and south.

Mr Thomas showed the Committee the proposed layout, elevations and streetscene. He highlighted the proposed ecological zone, including a 5m buffer around the north, east and south boundary along with an orchard located in the north of the site.

Representations were received from;

Cllr Amanda Tait – Southbourne Parish Council
Cllr Jonathan Brown – CDC Member
Cllr Oona Hickson – CDC Member

Officers responded to comments and questions as follows;

Regarding the Planning Inspectors decision on the Southbourne Neighbourhood Plan; Mrs Stevens advised the Committee that there was no extension of time granted and it would be more satisfactory to make a decision.

In response to the Southbourne Green Ring; Mr Thomas informed the Committee, that the northern end of the development would lie within the proposed green ring. However, officers were satisfied that the proposed orchard and ecological buffer were an acceptable contribution.

With regards to the width of the Southbourne Green Ring; Mr Thomas explained the only plan of the Green Ring was in the made Southbourne Neighbourhood Plan. The plan did indicate the broad location, but it did not provide specific dimensions. In addition, Mrs Stephens clarified the difference between SP3 and SP13 as proposed within the new Southbourne Neighbourhood Plan.

Cllr Todhunter as Chairman used his discretion to allow Cllr Brown to comment on the Southbourne Green Ring. Cllr Brown informed the Committee that the Green Ring would vary in size but should remain wide enough to allow a two-lane road, foot and cycle space, and green space.

Mrs Stevens reminded the Committee that all relevant policies had been considered in the report. If the Committee chose to refuse the application on the grounds of demolition of the Green Ring, Mrs Stevens queried how would this be evidenced, pointing out that there was no neighbourhood plan policy in place which stated planning could not take place on the site. The proposed development did provide green space and had been amended during course of the application to remove development from the northern tip of the site.

Cllr S Johnson proposed the application be deferred on grounds of prematurity in relation to the Southbourne Neighbourhood Plan. The proposal received no seconder.

Following a vote, the Committee agreed to support the report recommendation to **defer for Section 106 then permit**.

Resolved; **defer for Section 106 then permit**; subject to the conditions and informatives set out in the report, including the amendment to Condition 1 as set out in the Agenda Update Sheet.

**Cllr S Johnson re-joined the meeting at the start of this item,*

93 **SY/23/00881/DOM - Beach House 1 - 2 Westcroft West Street Selsey
Chichester West Sussex PO20 9HD**

Mr Mew introduced the item and drew attention to the Agenda Update Sheet which included; an amendment to paragraph 8.16 of the report and amendment to the decided plans. He also gave a verbal update to condition 5 and explained that the condition should be amended to refer to a single privacy screen, and that reference to the word 'southeast' should be deleted from the condition as this is not proposed and is not relevant.

Mr Mew outlined the site location and access to the property, which he explained was shared.

Mr Mew detailed the proposed changes as part of the application, some of which were retrospective. He acknowledged concerns which had been raised regarding over development of the site but explained and showed the Committee that much of the proposed development was contained within current buildings already on the site.

The following representations were received;

Mr Gavin Jones – objector

Mr Andrew Heathorn (statement read by Alex McDevitt)

Cllr Tim Johnson – CDC member (statement read by Cllr Steve Boulcott)

Cllr Steve Boulcott – CDC member

Officers responded to comments and questions as follows;

Mr Mew reminded the Committee that the retrospective nature of the application was not a reason for refusal.

Regarding the proposed colour of the building; Mr Mew informed the Committee that there were no specific materials or colour palette for the area. In officer opinion the proposed cladding was acceptable and in keeping with the surrounding area.

Mr Mew clarified what permitted development rights were.

Responding to concerns regarding the over development of the area; Mr Mew reminded the Committee that much of the proposed development was taking place within buildings on site. the amount of new development was minimal and in keeping with the surrounding area.

Following a vote, the Committee agreed to support the report recommendation to **permit**.

Resolved; **permit**, subject to the conditions and informatives included in the report.

94 **CC/23/01322/ADV - Second Floor 1 Little London Chichester West Sussex PO19 1PP**

Mr Mew presented the report.

He outlined the site location, which was within the Chichester Settlement Boundary and the Chichester Conservation Area. The building was a modern building and not listed.

Mr Mew showed the Committee the proposed sign and how it would appear on the building.

Representations were received from;
Mrs Anna Whitty – Chichester City Council
Mr Bob Beckett – Applicant

Officers responded to comments and questions as follows;

With regards to the proposed material; Mr Mew confirmed that the signage would be a 'tongue and groove' effect aluminium fascia with would be powder coated. He had an example of the proposed material which he showed to the Committee.

Regarding the street number; Mr Mew informed the Committee that an informative to include the street number was included, however, if the Committee were minded this could be included as a Condition.

Responding to concerns about the slogan and design of the sign; Mrs Stephens advised the Committee that they did not have the authority to alter the design, they must determine the application that was in front of them.

Regarding the Shop Front Guidance; Mrs Stevens confirmed that the guidance was a material consideration, which officers had considered, alongside where the building was and what other signs where in the vicinity. The building is a modern building within a conservation area and the proposed sign would be smaller than what is currently in situ.

Following a vote, the Committee agreed to support the report recommendation to **permit**, including the additional condition to include the street number on the sign.

Resolved; **permit**, subject to the conditions and informatives included in the report and the additional condition to include the street number on the sign.

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

Mrs Stevens highlighted to the Committee the challenges CDC were facing in defending new housing at appeal.

The Committee agreed to note the update.

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

The Committee agreed to note the update.

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

There were no late items.

98 **Exclusion of the Press and Public**

There were no part two items.

The meeting ended at 1.32 pm

CHAIRMAN

Date: